

## General

### 1.1. **Short Title**

This Bylaw may be cited as "The City of St. Albert Land Use Bylaw".

### 1.2. **Repeal**

This Bylaw repeals Land Use Bylaw No. 18/94 and amendments thereto.

### 1.3. **Transition**

If a complete application for a development permit in accordance with Part 3 of Land Use Bylaw No. 18/94 as amended is received by the Development Officer before the coming into force of this Land Use Bylaw, that application will be determined in accordance with Land Use Bylaw No. 18/94, unless the applicant elects in writing to have the application determined in accordance with the provisions of this Bylaw.

### 1.4. **References to Other Bylaws**

Any reference in this bylaw to other bylaws, provincial or federal legislation shall be a reference to the bylaw or legislation then in effect and shall include all amendments and any successor legislation.

### 1.5. **Interpretation**

In this Bylaw

- (a) the table of contents, titles and subtitles and index are not part of this Bylaw, but are inserted for convenience of reference only;
- (b) tables, charts or schedules included in this Bylaw are part of this Bylaw unless otherwise provided;
- (c) R1, R2, R3, R3A, R4, RX, RXL, DR and ICC Area A are residential districts; **(BL4/2008, BL2/2018)**
- (d) C1, C2, CC, ICC Area B, MC, RC, and BW are commercial districts; **(BL42/2005, BL32/2006, BL24/2009, BL2/2018)**
- (e) BP, BP2, BPT and CIS are industrial districts; **(BL27/2005, BL38/2011)**
- (f) DCMU, DCNUV, and DT are mixed use districts; **(BL19/2012, BL2/2018)**
- (g) apartment building; dwelling, duplex; group home; long term care housing; dwelling, semi-detached; single-detached house; supportive housing; and townhousing are residential uses; **(BL2/2018)**
- (h) in this Bylaw, unless the context otherwise requires, words importing the singular shall include the plural and, vice versa;
- (i) in this Bylaw, unless the context otherwise requires, words importing the masculine gender include the feminine gender and, vice versa; and

## General

(j) the following abbreviations are used in this Bylaw:

- (i) du is for dwelling unit;
- (ii) ha is for hectare;
- (iii) m is for meter;
- (iv) mm is for millimetre; and
- (v) sq. m is for square meter.

### 1.6 **Definitions**

In this Bylaw

- **"access"** means an area that serves as the physical connection between a site and a public roadway;
- **"accessory"** means subordinate, incidental to and exclusively devoted to a principal use or principal building;
- **"Act"** means the Municipal Government Act, RSA 2000, c. M-26;
- **"adjacent site"** means a site that is contiguous to a site which is the subject of a development application and includes land that would be contiguous if not for a public roadway, public utility lot, public utility right-of-way, rail right-of-way, river, stream or sidewalk;
- **"adjoining site"** means a site that is contiguous to another site along a common property line. In the Established Neighbourhood Overlay District, if the subject site is located on a corner, an adjoining site also includes a site that is adjacent across a rear lane, but not across a street; **(BL19/2006)**
- **"adult entertainment facility"** means
  - (a) a development or part thereof where, for any consideration, live performances are held, the central feature of which is any specified act or specified body area;
  - (b) any cinema where motion pictures, videotapes, video disks, computer disks, or similar electronic, photographic, or computer software reproductions are shown or displayed, the central feature of which is any specified act; or
  - (c) any development where the main feature of more than 50% of the inventory of the business is used to display, for sale or rent, any items the central feature of which is:
    - (i) any specified act or specified body area; or
    - (ii) items which simulate or are reproductions of any specified body area.

## General

Typical uses include adult mini theatres, strip clubs or shows, peepshows, adult novelty stores and adult video stores;

- **"agriculture"** means the cultivation of the soil for the growing of a crop or the raising of livestock, but does not include intensive agriculture;
- **"amenity area"** means an area for active or passive recreation;
- **"amenity area, common"** means any portion of a development that is designed for the common usage of the owners and residents within a development. These areas may include plazas, courtyards, recreation areas, gardens, private parks, and open spaces, including elements such as street furnishings, hard surfacing, plantings, and architectural features to create a strong sense of communal gathering space. The amenity area must have convenient pedestrian connections and be barrier free accessible. Interior common amenity areas may include exercise or recreation facilities such as swimming pools, tennis courts, exercise rooms, bike storage rooms, and/or common gathering rooms. Maintenance of such areas including parking lots and pedestrian walkways is the responsibility of a private entity, and is normally set forth in the form of private restrictive covenants, which guarantee the private maintenance of these areas; **(BL2/2018)**
- **"amenity area, communal"** means an open space or plaza provided for the active or passive recreation, gathering and enjoyment of the public, located and designed so as to maximize the accessibility and use of the area by the public during the hours that the surrounding development is open to the public. A communal amenity area shall be owned and maintained by the owners of the development or in common. Access to the communal amenity area shall be at no cost to the public; **(BL2/2018)**
- **"amenity area, garden"** means an area on a part of a site where flowers, vegetables, or fruits are cultivated for consumption or distribution on a not-for-profit basis; **(BL2/2018)**
- **"amenity area, private"** means a balcony, patio, deck, or other similar structure which is attached to, and has a private entrance from the interior of a dwelling unit; **(BL2/2018)**
- **"amusement arcade"** means a development where 5 or more mechanical or electronic games are provided for public entertainment for any consideration, but does not include adult entertainment facility, casino or bingo hall;
- **"animal service"** means a development located within an enclosed building used for the accommodation, boarding, breeding, grooming, impoundment, training and sale of small domestic animals including, but not limited to, cats and dogs, but does not include intensive agriculture;
- **"apartment building"** means a single building containing 3 or more dwelling units with a common entrance from the exterior, but does not include any other type of multiple dwelling unit building defined in this Bylaw;

## General

- **"architectural projection"** means a building feature that is mounted on, and/or extends from, the surface of an exterior building wall or facade, typically above finished grade. Examples of architectural projections include balconies, bay windows, or cantilevered wall sections, but do not include eaves or chimneys;
- **"art gallery"** means a public or private facility which is operated as a repository or a collection of works of individual art pieces not mass produced consisting of one or more of the following: paintings, drawings, etchings or sculptures;
- **"artist studio"** means a building or part of a building used for the production of various forms of art, such as painting, sculpting, and photography; **(BL14/2008)**
- **"athletic field"** means an open area constructed and maintained for the purpose of holding sporting events and activities. Typical uses include a baseball field, soccer field or an ice rink;
- **"auction facility"** means a development used for the auctioning of goods, motor vehicles and equipment including the temporary storage of such goods and equipment;
- **"automotive body and paint service"** means a development used for the service and repair of motor vehicle bodies, but does not include automotive wrecker;
- **"automotive sales and service"** means a development used for the sale, service and rental of motor vehicles, but does not include recreation vehicle sales or automotive body and paint service;
- **"automotive service"** means a development used for the
  - (a) service and repair of motor vehicles;
  - (b) the sale of gasoline, lubricating oils and other automotive fluids; or
  - (c) any combination of the above, but does not include an automotive body and paint service, automotive sales or automotive specialty;
- **"automotive specialty"** means a development solely used for the service and repair of components of motor vehicles, but does not include an automotive body and paint service or an automotive service. Typical uses include a service shop for the following automotive components: brake, lubrication, muffler, rust proofing, transmission, wheel alignment and windshield;
- **"automotive wrecker"** means a development used for the storing, junking, dismantling or wrecking of 3 or more motor vehicles, not in running condition, or parts of them;
- **"awning"** means a light, detachable, roof-like structure covered by fabric or other flexible material supported from a building by a fixed or retractable frame, without a supporting structure;
- **"bachelor suite"** means a dwelling, bachelor suite; **(BL2/2018)**

## General

- **"balcony"** means an above-grade exterior platform projecting from a wall and located adjacent to a doorway;
- **"bare land condominium unit"** means a bare land unit as defined in the Condominium Property Act, RSA 2000, c. C-22;
- **"barrier-free access"** means that a development, or parts thereof as specified in this Bylaw, can be used by persons with physical disabilities;
- **"basement"** means the lowest floor level of a building, located wholly or partly below the finished grade;
- **"basement suite"** means a dwelling, basement suite; **(BL2/2018)**
- **"bed and breakfast"** means a commercial development that forms an accessory use to a single-detached house; dwelling, semi-detached; or dwelling, duplex; and provides temporary sleeping accommodation and meals to persons who are not residents but are visitors, but does not include a boarding house; **(BL2/2018)**
- **"bedroom"** means a private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom. A bedroom will have window(s) and a closet; **(BL7/2007)**
- **"berm"** means an elongated mound of earth a minimum of 1 m in height above the adjoining average finished grade designed to provide screening or noise attenuation within a development or between adjoining developments;
- **"bicycle parking station"** means the public or private provision of space and facilities to temporarily park bicycles that does not impede pedestrian or vehicle traffic; **(BL19/2012)**
- **"bingo hall"** means a development used for the playing of bingo;
- **"boarding house"** means a commercial endeavour or development located within a dwelling unit where the commercial activity, or any part thereof, is to provide individuals with shared access to any of the following on a fee-for-service basis:
  - (a) washroom facilities;
  - (b) sleeping accommodations; or
  - (c) cooking or eating facilities, as in a cafeteria or canteen.

Typical uses include hostels and rooming houses. Notwithstanding the foregoing, a dwelling unit occupied by a family and a maximum of two lodgers shall not be considered a boarding house; **(BL20/2014)**

- **"breezeway"** means, in the case of commercial and industrial districts, an open air store front space located between two commercial buildings through which pedestrian only access is provided to businesses and services and, in the case of residential districts, means a roofed structure that connects two buildings;

## General

- **"broadcasting studio"** means a development used for the production or broadcast of audio or visual programming including radio and television programs;
- **"building"** includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road;
- **"building envelope"** means the three-dimensional space within which a building can be constructed; **(BL19/2006)**
- **"building frontage"** means a wall or façade on the exterior of a building which faces a public roadway; **(BL19/2012)**
- **"building mass"** means the height, width and depth of a building; **(BL19/2006)**
- **"building recess"** means a recessed area at finished grade that is created by an overhanging upper part of a building at the building frontage or by setting a portion of a building back from the front property line;
- **"build-to line"** means the line at which construction of a building frontage is to occur on a lot. A build-to-line runs parallel to, and is measured from, the front property line and is established to create an even building façade on a street; **(BL19/2012)**
- **"bulk oil and chemical storage"** means a development where refined or crude oil or liquid or solid chemical is stored outdoors;
- **"business support service"** means a development used to provide any of the following services: printing, duplicating, binding or photographic processing, office maintenance services, secretarial services, security services, sale or rental of business equipment, service and repairs to office equipment and advertising;
- **"campground"** means a development used to provide outdoor spaces to the public for temporary accommodation in tents or recreation vehicles. For the purposes of this definition, a recreation vehicle is considered to be an accessory building when utilized for the purpose of a dwelling for security and maintenance of the campground; **(BL30/2007)**
- **"cannabis"** means any part of a cannabis plant, including all substances produced by, or found in such a plant, regardless of whether that part has been processed or not; any substance or mixture of substances that contains or has on it any part of such a plant; any substance that is identical to any substance produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant; a mature stalk without any leaf, flower, seed or branch, of such plant; fibre derived from a mature stalk; the root or any part of the root of such a plant; and plants that are considered by federal legislation to be industrial hemp.
- **"cannabis lounge"** means a development where the primary purpose is the sale of cannabis to the public, for consumption within the premises that is authorized by provincial or federal legislation. This use does not include a cannabis production and distribution facility or cannabis retail store.

## General

- **"cannabis production and distribution facility" (CPDF) means a use:**
  - (a) that is a Health Canada licensed facility where all activities and functions associated with the cultivation, processing, packaging, labelling, distribution, testing, destruction, or storage of cannabis are fully enclosed within a stand-alone building and must be the sole use approved for the building;
  - (b) that unless otherwise stated in this Bylaw, may only be approved as a discretionary use in the Commercial and Industrial Services (CIS) Land Use District. A cannabis production and distribution facility is prohibited in all other Land Use Districts;
  - (c) where an accessory building or structure used for security purposes must be located on the same parcel;
  - (d) that must include equipment designed and intended to remove odours from the air prior to discharge from the building;
  - (e) where, notwithstanding the requirements of Section 6.16 of this Bylaw, all light associated with any activity or function undertaken within the stand-alone building, shall be contained within the building, thereby having no adverse effect on an adjacent site;
  - (f) where the stand-alone building must not be located within 150m from the nearest property line of a parcel designated as a residential district, from the nearest property line of a parcel upon which a school is located, or from the nearest property line of a parcel upon which a day care facility is located;
  - (g) where signage shall not identify the use; and
  - (h) that does not include a cannabis retail store or cannabis lounge.
- **"cannabis retail store"** means a development used for the retail sale of cannabis that is authorized by provincial or federal legislation. This use does not include a cannabis lounge or cannabis production and distribution facility.
- **"canopy"** means a fixed structure that provides overhead shelter comprised of a roof and supporting structure that are attached to and extend from a building and includes a theatre marquee;
- **"canopy, freestanding"** means a fixed structure made of rigid materials that provides overhead shelter and comprised of a roof and supporting posts and is not attached to any other building;
- **"cantilevered wall section"** means a projection of part of an exterior wall of a building not supported by a foundation wall for the purpose of accommodating a bow or bay window, shelving units, closets, a fireplace, or a portion of a bathroom. At no time shall a cantilevered wall section extend the entire length of a room;
- **"carport"** means a roof structure, with a minimum 40% of its perimeter open and unobstructed, used to provide overhead shelter for a motor vehicle;

## General

- **"car wash"** means a development used for the cleaning of motor vehicles under 5000 kg in gross vehicle weight;
- **"casino"** means a development used for the playing of games of chance, but does not include a bingo hall, or a drinking establishment in which less than 11 video lottery terminals are located;
- **"catering service"** means a development where foods and beverages, to be served off the premises, are prepared for sale to the public;
- **"chemical processing"** means a development used for processing and any related storing or warehousing of chemicals and petrochemicals. Typical uses include manufacturing of chemical products and tank farms;
- **"cinema"** means a development used to show motion pictures to the public for any consideration;
- **"City"** means the City of St. Albert;
- **"common amenity area"** means amenity area, common; **(BL2/2018)**
- **"communal amenity area"** means amenity area, communal; **(BL2/2018)**
- **"community hall"** means a development that provides auditorium, banquet, exhibition, gymnasium, meeting or seminar facilities but does not include a bingo hall that operates for more than 3 days in a calendar year, an adult entertainment facility or a casino;
- **"compliance certificate"** means a document that may be issued by the Development Officer indicating that a building, as shown on documentation provided to the City, is located in accordance with the building setback requirements in this Bylaw at the time the certificate is issued or in compliance with the yard or building setbacks specified in any development permit which may have been issued;
- **"comprehensively planned neighbourhoods"** means an overall conceptual site development plan for the area. The overall conceptual site development plan, considered to be non-binding, must identify the proposed building types and locations, development phasing, parks, amenity areas, and vehicular and pedestrian routes; **(BL2/2018)**
- **"construction service"** means a development used to provide landscaping, electrical, plumbing, heating, painting, woodworking or similar contractor services to households or to general contractors, but does not include equipment rental;
- **"convenience store"** means a development for the retail sale of a variety of small goods required on a day-to-day basis by people living or working near the store. Typical uses include small food stores, milk stores, and variety stores that sell confectioneries, foodstuffs, newspapers, magazines, non-alcoholic beverages and similar items;



## General

- **"corner lot"** means a lot located at the intersection of two or more public roadways, with the exception of the intersection of a street and a rear lane; **(BL13/2006)**
- **"Council"** means the Council of the City;
- **"CPTED (Crime Prevention Through Environmental Design)"** means the broad study and design of environments to encourage desirable behaviour and functionality, and decrease antisocial behaviour; **(BL19/2012)**
- **"day care facility"** means a development used to provide care and supervision, but not overnight accommodation, to 7 or more children or adults. Typical uses include day care centres, nursery schools and kindergartens;
- **"deck"** means a raised platform, normally attached to a dwelling unit, which projects beyond the principal building but does not include a balcony;
- **"deck, covered"** means a deck that has a roof over it and has more than 50% of its perimeter open to the outside;
- **"deck, enclosed"** means a deck that has a roof over it and has less than 50% of its perimeter open to the outside;
- **"decorative pond"** means a man-made enclosure constructed to contain water, which may include vegetation and fish, as a decorative feature;
- **"designated flood line"** means the observed and calculated elevation for the 1:100 year flood elevation along the Sturgeon River, Big Lake, and Carrot Creek as indicated on the maps in Schedule G; **(BL25/2011, BL2/2018)**
- **"detention or correction facility"** means a development used to hold, confine, or to provide regulated or temporary residential facilities for young or adult individuals, either awaiting trial on criminal charges or as part of the disposition of criminal charges, or released from custody under the supervision of the National Parole Board, a parole or probation Officer or similar authority. Typical uses include a remand centre, jail or half-way house;
- **"development"** means
  - (a) an excavation or stockpile and the creation of either of them;
  - (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
  - (c) a change of use of land or a building or any act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
  - (d) a change in the intensity of use of land or a building or any act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

## General

- **"development agreement"** means an agreement between a developer or property owner and the City that defines the terms and conditions under which a development must be carried out;
- **"development permit"** means the document issued by a Development Officer, or by Council in a Direct Control District, under this Bylaw or any previous Land Use Bylaw and includes any plans or conditions of approval;
- **"direct lighting"** means artificial illumination focused on and limited to a specific area on the site for which the lighting is provided;
- **"drinking establishment"** means a development licensed to serve alcoholic beverages for consumption on the premises and may include up to 10 video lottery terminals as an accessory use;
- **"drive-through business"** means a development, or part of a development, designed to serve customers remaining in their vehicles;
- **"driveway"** means a privately owned, hard surfaced access that connects on-site parking areas to the public roadway;
- **"duplex or duplex dwelling"** means a dwelling, duplex; **(BL2/2018)**
- **"dwelling or dwelling unit"** means a self-contained residence comprising cooking, washroom, living, and sleeping facilities with a separate private entrance from the exterior of a building or from a common hall, lobby or stairway inside a building, but does not include any part of a hospital, hotel, motel or recreation vehicle; **(BL2/2018)**
- **"dwelling, bachelor suite"** means a dwelling unit in which all of the cooking, living, and sleeping areas are combined in a single room; **(BL2/2018)**
- **"dwelling, basement suite"** means a secondary dwelling unit, located within the basement level of a single-detached house; **(BL2/2018)**
- **"dwelling, duplex"** means a single building on a single lot containing two dwelling units, each having a separate direct entrance from the exterior, with one or more habitable rooms above finished grade. This use does not include secondary suites; **(BL2/2018)**
- **"dwelling, end unit"** means the last dwelling unit forming the end of a townhousing building; **(BL2/2018)**
- **"dwelling, garage suite"** means a secondary dwelling unit that is located above a detached garage. A garage suite is accessory to the principal single-detached house, has an entrance separate from the vehicle entrance to the garage, and contains cooking, washroom, living, and sleeping facilities which are separate from those of the principal dwelling located on the site. A garage suite, in any form, cannot be subdivided from the principal dwelling so as to create a separate legal title for the garage suite. This use does not include a secondary suite or a garden suite; **(BL2/2018)**

## General

- **“dwelling, garden suite”** means a single-storey secondary dwelling unit that is located in a building separate and accessory to the principal single-detached house. A dwelling, garden suite contains cooking, washroom, living, and sleeping facilities which are separate from those of the principal dwelling located on the site. A garden suite, in any form, cannot be subdivided from the principal dwelling so as to create a separate legal title for the garden suite. This use does not include a dwelling, secondary suite or a dwelling, garage suite; **(BL2/2018)**
- **“dwelling, interior unit”** means a dwelling unit forming part of a townhousing or street-oriented townhousing building, which is not an end dwelling unit, and which may be located on an individually titled lot, or may form part of multi-unit project development on a single titled lot; **(BL2/2018)**
- **“dwelling, live/work unit”** means a unit designed to be used concurrently as a dwelling unit and as a commercial use; **(BL2/2018)**
- **“dwelling, mobile home”** means a dwelling unit with no permanent foundation that is designed to be relocatable but is connected to utility lines. Typical developments are single-wide or double-wide mobile homes; **(BL2/2018)**
- **“dwelling, secondary suite”** means a secondary dwelling unit that is located within and accessory to a single-detached house, and contains cooking, washroom, living, and sleeping facilities separate from those of the principal dwelling. A secondary suite includes the development or conversion of basement space, or where all or a portion of the suite is located at, or above grade to a separate accessory dwelling. A secondary suite, in any form, cannot be subdivided from the principal dwelling so as to create a separate legal title for the secondary suite. This use does not include a garage suite or a garden suite; **(BL2/2018)**
- **“dwelling, semi-detached”** means a single building containing two side-by-side dwelling units each with its own title and direct connection to finished grade and separated from each other by a party wall extending from foundation to roof. This type of development is designed and constructed as two dwellings at the time of initial construction of the building. This use does not include secondary suites, duplexes, or secondary dwelling units; **(BL2/2018)**
- **“dwelling, single-detached house”** means a development comprised of 1 dwelling unit on a site separated by open space from any development on an adjoining site; **(BL2/2018)**
- **“dwelling, two family”** means a development comprised of 2 dwelling units that include semi-detached dwelling and duplex dwelling; **(BL2/2018)**
- **“emergency protective service”** means a development used as a firehall, police station or similar facility;
- **“equipment rental”** means a development used to rent household or light equipment, but not motor vehicles, to the public;

## General

- **“established neighbourhood”** means those neighbourhoods in St. Albert established prior to 1980, identified in Figure 29, and with the primary characteristic of house frontages with unobtrusive garages and driveways; **(BL19/2006, BL2/2018)**
- **“exhibition grounds”** means an outdoor facility used to host public events including rodeos, horse shows, and exhibitions, and any accessory structure used for spectator seating or viewing;
- **“external urban design review”** means a contracted expert third party or appointed committee review of building design and architecture; **(BL19/2012)**
- **“façade”** means the exterior outward face of the building; **(BL2/2018)**
- **“family”** means adult interdependent partners (married or common-law), lone parent households, or single persons living in the same dwelling with related household members, or caring for non-related children through an authorized guardianship, foster care, or kinship agreement; **(BL2/2018)**
- **“family day home”** means an accessory development within a dwelling unit or part thereof used to provide care and supervision, but not overnight accommodation, to more than 4 but less than 7 children or adults, including any children under the age of 5 who are otherwise permanent residents of the dwelling unit;
- **“farm and equipment sales and services”** means a development used for the retail sale, service and rental of new or used farm vehicles and equipment, machinery related to the agriculture community; including, but not be limited to, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks, and all terrain vehicles, but does not include a farm equipment salvage yard; **(BL12/2012)**
- **“fence”** means a vertical physical barrier constructed to provide visual screening or to enclose a lot, parcel or site;
- **“fenestration”** means the design and disposition of doors, windows and other exterior openings of a building; **(BL19/2012)**
- **“financial institution”** means a bank, brokerage company, treasury branch, trust company, credit union, finance company or similar institution;
- **“finished grade”** means the elevation of the ground upon placement of soil and sod above the unfinished grade, or as may be identified on plot plans;
- **“fleet service”** means a development from which 4 or more motor vehicles are operated for the transportation of passengers or goods;
- **“freeboard elevation”** means a specified elevation above which all building openings must be built; **(BL25/2011)**
- **“frontage”** means the property line of a site along any public roadway except a lane;

## General

- **"funeral home"** means a development used for the arrangement of funerals, the preparation of the deceased for burial including cremation and the holding of funeral services, but does not include a religious assembly; **(BL38/2011)**
- **"garage"** means a building that provides parking for motor vehicles, is enclosed on all sides, and may either be attached to or detached from the principal building;
- **"garage sale"** means an accessory development involving the sale of goods from a garage or yard in a residential district;
- **"garage suite"** means a dwelling, garage suite; **(BL2/2018)**
- **"garden shed"** means an accessory building used for the storage of gardening equipment, material and tools in a residential development and includes a storage shed;
- **"garden suite"** means a dwelling, garden suite; **(BL2/2018)**
- **"gas bar"** means a development used for the sale of gasoline, lubricating oils and other automotive fluids and incidental goods;
- **"gazebo"** means an accessory building with a roof supported by posts, provided for shade and landscaping; **(BL2/2018)**
- **"general industrial"** means a development for the processing of raw (transported to the site), semi, or finished material, but excludes removal and extraction for raw materials, automotive wreckers and salvage yards; manufacturing, processing, assembling of goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods and equipment; the storage, warehousing or transshipping of materials, goods and equipment; distribution of goods, products or equipment to industrial and commercial businesses for their direct use for resale purposes; and the training of personnel in general industrial operations. Where any actual or potential nuisance factor generated by the development is contained within the boundaries of the site. Accessory Use, building for security purposes as per LUB Part 6.19 (4); **(BL12/2012)**
- **"general retail store"** means a development used for the retail sale of a wide range of consumer goods with a floor area less than 4000 sq. m, but does not include a grocery store or a specialty store. Typical uses include plumbing and hardware stores, clothing stores, shoe stores, sporting goods stores, furniture stores, appliance stores, jewelry stores, second hand stores or pharmacies;
- **"general service"** means a development used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include health service. Typical uses include dry cleaner, hair salon, tanning salon, laundromat, tailor, dressmaker, shoe repair and facilities used to provide pedicures, manicures, massages and electrolysis;
- **"geodetic elevation"** means the elevation of a point above geodetic mean sea level;

## General

- **"glazed area"** means the portion of a building facade comprised of windows and transparent doors;
- **"government service"** means a development used by a municipal, provincial or federal government agency to provide government services directly to the public, and includes a library, school district office or transit service, but does not include a public utility building, emergency protective service or school;
- **"grading"** means any land disturbance, excavation or fill, or any combination thereof and shall include the conditions resulting from any land disturbance, excavation or fill;
- **"greenhouse and plant nursery"** means a development used for the growing, storage and sale of vegetables or landscaping plants, either in a greenhouse or garden, and for the storage and sale of related gardening goods and equipment;
- **"grocery store"** means a development used for the retail sale of raw or prepared foods with a floor area less than 4000 sq. m;
- **"gross floor area"** means the total area of all floors of a building, located totally or partially above finished grade and the total area of all mechanical equipment areas. The area comprising the gross floor area must be enclosed, or have a roof over the area, but does not require interior finishing; **(BL2/2018)**

Gross floor area shall be measured:

- (a) to the outside surface of the exterior walls; or
- (b) where buildings are separated by firewalls, to the centre line of the common firewalls;
- **"gross site area"** means the total area of a lot, parcel, or site, including any area dedicated to an easement or right-of-way, as shown on a plan of subdivision registered in the land titles office;
- **"gross vehicle weight"** means the aggregate weight of a vehicle and the load which the vehicle is permitted to carry on highways and public roadways in Alberta;
- **"ground cover"** means low-profile vegetation commonly used for landscaping and includes herbaceous perennials and flowers, but does not include grass;
- **"ground floor frontage"** means that building frontage of the first storey;
- **"ground storey"** means the bottom storey of a building located at the street level; **(BL19/2012)**

## General

- **"group home"** means a development consisting of the use of a residential dwelling as a facility which is recognized, authorized, licensed or certified by a public authority. A group home is intended to provide room and board for from 1 to no greater than 6 residents, exclusive of staff, requiring specialized or personal care, guidance and supervision but does not include a detention or correction facility or a treatment centre. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common; **(BL29/2017)**
- **"group home, limited"** **(BL29/2017)**
- **"habitable room"** means a bedroom, dining room, family room or living room;
- **"health service"** means a development used for the provision of physical and mental out-patient health care and social or counseling services. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical uses include medical and dental offices, health and physiotherapy clinics, and counseling services. In the Integrated Care Community (ICC) Land Use District only, pharmacies may be considered as a health service; **(BL29/2006)**
- **"high density residential area"** means an area within an Area Structure Plan, developed with three or more units that may include housing types such as townhousing and apartments with average area densities above 94 dwelling units per net residential hectare. **(BL2/2018)**
- **"home occupation"** means an accessory development in a dwelling unit, or its garage, for a business that is operated by a permanent resident of the dwelling unit, but does not include animal service with the exception of dog grooming, automotive service, automotive specialty, auto wrecker or dry cleaner; **(BL2/2018)**
- **"home office"** means an accessory development contained within 1 room in a dwelling unit, for a business that involves office functions only and is operated by a permanent resident of the dwelling unit;
- **"horizontal module"** means a building facade that is divided into sections along the horizontal axis through the location of structural or decorative elements;
- **"hospital"** means an institutional development used to provide in-patient and out-patient health care to the public. Typical uses include a community health centre and a full service hospital;
- **"hotel"** means a commercial development used to provide temporary sleeping accommodation to the public, and which may also contain a restaurant, drinking establishment or convention hall. Typical use includes a motel; **(BL2/2018)**
- **"household repair service"** means a development that provides repair services for household goods, equipment and appliances, but does not include general service. Typical uses include radio, television and appliance repair shops and furniture refinishing and upholstery shops;

## General

- **"indoor recreation service"** means a development used for sports or recreation within an enclosed building and any related accessory development for the users of the principal facilities, but does not include adult entertainment facility, pool hall, bingo hall or casino. Typical uses include an athletic club, health and fitness club, curling, skating or hockey rink, swimming pool, bowling alley, and racquet courts. Typical accessory uses include a cafeteria, pro-shop and amusement arcade;
- **"indoor storage facility"** means storage, indoor facility; **(BL2/2017)**
- **"industrial, heavy vehicle and equipment sales and services"** means a development used for the sale, service and rental of new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations. Types of vehicles could include but not be limited to heavy duty trucks, dump trucks, vacuum and welding trucks, cargo and flatbed trailers, lifts, and trucks with more than one axle, but does not include industrial heavy vehicle and equipment salvage yard; **(BL12/2012)**
- **"infill development"** means the process of developing vacant or underused parcels, or redeveloping existing or underused structures in the Established Neighbourhoods; **(BL19/2006)**
- **"intensive agriculture"** means a development used for the raising of livestock under confined conditions in pens or buildings. Typical uses include a hatchery, feedlot, poultry operation, hog barn and piggery;
- **"interior lot"** means any lot other than a corner lot;
- **"internal urban design review"** means a preliminary review of a development's design and architecture conducted by City staff prior to a formal application being submitted; **(BL19/2012)**
- **"landscape buffer"** means a landscaped area with dense landscaping intended to separate and screen adjacent differing land uses;
- **"landscaped area"** means that portion of a site which is required to be landscaped;
- **"landscaping"** means preserving, enhancing or incorporating vegetative and other materials in a development and includes combining new or existing vegetative materials with architectural elements, existing site features or other development features including fences or walls;
- **"Land Use District"** means an area of the City established as a land use district by this Bylaw;
- **"Land Use Map"** means the Land Use District map in Schedule A;
- **"lane"** means an alley as defined in the Traffic Safety Act; **(BL2/2018)**



## General

- **"light industrial"** means a development used for manufacturing and warehousing where any actual or potential nuisance factor generated by the development is contained within an enclosed building but excludes bulk oil and chemical storage and chemical processing;
- **"liquor store"** means a development where alcoholic beverages are offered to the public for sale for consumption off-site;
- **"livestock"** includes horses, cattle, pigs, sheep, goats, llamas, ostriches, bison, chickens, turkeys, ducks, geese, pigeons, foxes, mink, rabbits, skunks, and all other animals, poultry, fowl, and birds whether of a domestic nature or wild, but does not include dogs, cats or other domesticated household pets ordinarily kept within the confines of a dwelling house;
- **"live/work unit"** means a dwelling, live/work unit; **(BL2/2018)**
- **"loading door"** means a door used in connection with a loading space;
- **"loading space"** means a space that accommodates a vehicle while it is being loaded or unloaded;
- **"long term care housing"** means housing that provides residents with high physical and cognitive needs with access to full time professional nursing care and personal support services, which is recognized, authorized, licensed or certified by a public authority as a social care facility. Long term care housing typically takes a multiple unit form with private or shared living units and common living, dining and activity areas. These facilities provide a range of care services including professional nursing services, personal services, 24 hour security, emergency call systems, health programs, medication management, social, recreational and special needs programs, laundry and house-keeping services, and provision of meals. Typical uses include a nursing home, auxiliary hospital, dementia facility, designated supportive living levels 3 and 4, and respite care facility (subacute, palliative care services), but do not include a detention or correction facility; **(BL2/2018)**
- **"lot"** means
  - (a) a quarter section;
  - (b) a river lot as shown on an official plan, as defined in the Surveys Act, RSA 2000, c. S-26, that is filed or lodged in a land titles office;
  - (c) a settlement lot shown on an official plan, as defined in the Surveys Act, RSA 2000, c. S-26, that is filed or lodged in a land titles office;
  - (d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
  - (e) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

## General

- **"lot area"** means the area of a lot including any area dedicated to an easement or a right-of-way as shown on a plan of subdivision or described in a certified copy of a certificate of title;
- **"lot coverage"** means percentage of lot area covered by buildings;
- **"lot depth"** means the distance between the front and rear property lines of the lot as measured perpendicularly or radially from the mid-point of the front property line of the lot;
- **"lot frontage"** means the width of a lot, parcel, or site at the front property line adjoining a public roadway;
- **"lot width"** means the distance between the side property lines as measured along the minimum front yard building setback, unless otherwise specified in this Bylaw;
- **"low density residential area"** means an area within an Area Structure Plan, made up of single family, two family and/or townhousing dwelling unit forms, or any combination thereof, provided that the combined density within the area is no greater than 39 du/ha, and that the percentage of townhousing conforms to Land Use District requirements; **(BL2/2018)**
- **"medium industrial"** **(BL12/2012)**
- **"major home occupation"** means a development that is accessory to the residential use for a major business conducted within the principal residential dwelling and/or accessory building(s). Such a Major Home Occupation may include limited outdoor storage. Typical uses include contractor services, landscape supply service, parking of commercial vehicles, automotive and auto body repair and on-site light fabrication; **(BL 25/2012)**
- ~~**"medical marihuana production facility" (MMPF) means a use:**~~
  - ~~(a) Where a federally-licensed facility used for provision, production, cultivation, processing, testing, labeling, destruction, packaging, sale, delivery, transportation, shipping, or storage of marihuana used for medical purposes as permitted under the federal government's Marihuana for Medical Purposes Regulation or any subsequent legislation which may be enacted in substitution thereof;~~
  - ~~(b) where all the processes and functions are fully enclosed within a stand-alone building;~~
  - ~~(c) that this use must be the sole use approved for the building;~~
  - ~~(d) where the stand-alone building within which the production facility is located must have a minimum setback of 150 m from a residential district, from a school or from a daycare facility; and~~
  - ~~(e) where signage shall not identify the use; (BL22/2014)~~

## General

- **“medium density residential area”** means an area within an Area Structure Plan, developed with three or more units that may include housing types such as townhousing and apartment buildings with average area densities within a range of 40 to 94 dwelling units per net residential hectare. **(BL2/2018)**
- **"mini-storage"** means storage, mini; **(BL2/2017)**
- **“mixed use building”** means the development of a building or structure with a variety of complementary and integrated uses, including, but not limited to, residential, office, manufacturing, retail, public, or entertainment in a compact urban form; **(BL19/2012)**
- **"mobile home"** means a dwelling, mobile home; **(BL2/2018)**
- **"motor vehicle"** has the same meaning as defined in the Traffic Safety Act, RSA 2000, c. T-6;
- **"multiple dwelling"** means a development containing 2 or more dwelling units;
- **“multi-tenant”** means three or more units separated by partition walls that separate one tenant’s space from another or from the building’s common area such as a public corridor as shown on a submitted floor plan; **(BL38/2011)**
- **"net floor area"** means the gross floor area of a building, less the area of stairways, elevators, mechanical floors or rooms, vertical service shafts, common corridors, lobbies, public washrooms, internal garbage storage and internal vehicular areas;
- **"off-site"** means a location other than the site which is the subject of a development;
- **"on-site"** means a location on the site which is the subject of a development;
- **"outdoor display area"** means an outdoor area forming part of a development used to exhibit or show motor vehicles, recreation vehicles, equipment, goods, materials, or products;
- **"outdoor recreation service"** means a development used for outdoor sports or leisure and any related accessory developments for the use and convenience of the users of the principal outdoor facilities. Typical outdoor recreation developments include athletic field, picnic area, playground, pedestrian and bicycle trail, skating rink, boating facility, lawn bowling green, tennis court, swimming and wading pool, water spray park and golf course;
- **"outdoor storage"** means storage, outdoor; **(BL2/2017)**
- **“overlay district”** means a special land use district that imposes additional requirements above that required by the underlying land use district(s) to which it is applied; **(BL19/2006)**
- **"parcel"** means the aggregate of the 1 or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in the Land Titles Office;

## General

- **"park"** means a tract of land designated and used by the public for active and passive recreation; **(BL19/2012)**
- **"parking"** means leaving a motor vehicle temporarily on a lot, parcel or site;
- **"parking lot"** means a development or part thereof which provides for the access, maneuvering and parking of motor vehicles;
- **"parking pad"** means a hard surfaced area intended to accommodate the required on-site parking, but does not include a driveway; **(BL2/2018)**
- **"parking structure"** means a building or portion thereof, used for the parking of motor vehicles; **(BL2/2018)**
- **"parking structure, underground"** means a building or portion thereof, used for the parking of motor vehicles located entirely below finished grade; **(BL2/2018)**
- **"patio"** means an at grade concrete slab or other hard surface that adjoins a dwelling for the purpose of outdoor gathering;
- **"pedestal"** means the bottom three to five storeys of a mid- or high-rise building upon which higher storeys are stepped back; **(BL19/2012)**
- **"playhouse"** means an accessory building for children to play in or on;
- **"plaza"** means an open space that may be improved and landscaped, usually surrounded by streets and buildings; **(BL19/2012)**
- **"pool hall"** means a commercial development used for pool, billiards, snooker or similar table games;
- **"principal building"** means a building that accommodates the principal use of a site;
- **"principal use"** means the primary or main purpose for which a building or land is used;
- **"private amenity area"** means an amenity area, private; **(BL2/2018)**
- **"private pool"** means any outdoor private swimming pool or hot tub, whether above or below the ground, containing water for the purpose of swimming, wading or immersion of human beings;
- **"professional office"** means an office use providing professional services, but does not include health service or government service. Typical uses include offices providing accounting, architectural, employment, engineering, insurance, investment, legal, real estate, town planning, secretarial and travel agent services;
- **"property line"** means a line of record bounding a lot that divides one lot from another lot or from a public roadway or any other public space;
- **"property line, common"** means the shared property line between dwellings, semi-detached; or street-oriented townhousing units; **(BL2/2018)**

## General

- **"public market"** means a temporary market set up indoors or outdoors comprising a variety of small scale and local vendors; **(BL19/2012)**
- **"public roadway"** means the right-of-way of the following:
  - (a) a local road;
  - (b) a service road;
  - (c) a street;
  - (d) an avenue;
  - (e) a lane;
  - (f) an alley; **(BL2/2018)**
  - (g) an undeveloped registered road plan that is publicly used or intended for public use; or
  - (h) a common property pursuant to the Condominium Property Act, RSA 2000, c. C-22, created for the purpose of vehicular access and circulation, designed to a standard acceptable to the Development Officer or Subdivision Authority;
- **"public utility"** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
  - (a) telecommunications;
  - (b) water or steam;
  - (c) irrigation;
  - (d) fuel;
  - (e) electric power;
  - (f) heat;
  - (g) sewage disposal;
  - (h) drainage; or
  - (i) waste management;and includes the thing that is provided for public consumption, benefit, convenience or use;
- **"public utility building"** means a development in which the owner or operator of a public utility maintains or houses any operation in connection with the distribution of a public utility, but does not include any development for the production of electric power, or gas, whether natural or artificial;

## General

- **"radio antenna"** means a device and its support structures designed to receive and transmit radio waves for limited commercial uses and non-commercial uses such as commercial fleet services and amateur radio operators. This definition does not include satellite dish antenna. Examples include radio antennas used for commercial fleet dispatch and ham (or hobby) radio antennas;
- **"raffle home"** means a dwelling unit that constitutes a prize in a raffle or lottery open to the public;
- **"real property report"** means a document showing building location and other site data prepared by a Registered Alberta Land Surveyor according to the standards of the Alberta Land Surveyors Association;
- **"recessed arcade"** means a pedestrian area created by an overhanging part of a building that is supported by columns;
- **"recreation equipment"** includes a utility trailer, boat, boat trailer, all-terrain vehicle, snowmobile, but does not include a recreation vehicle;
- **"recreation vehicle"** means a portable structure with seating and sleeping capacity to provide temporary living accommodation that is either carried on or pulled by another vehicle, or transported under its own power;
- **"recreation vehicle sales and service"** means a development used for the sales, rental and service of recreation vehicles;
- **"recycling depot"** means a development for collecting, sorting and temporarily storing recyclable materials such as bottles, cans, paper, boxes and small household goods, but does not include auto wreckers;
- **"religious assembly"** means a development used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. This use class does not include schools or commercial schools;
- **"relocatable building"** means a building that is designed to be relocated from site to site, but is not used for residential purposes;
- **"research and development business"** means a business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Typical research and development businesses or uses include laboratories, scientific, medical, chemical, applied physics, mechanical, electronic, biological, genetic or other similar experimental research, product development or testing facilities. Development and construction of prototypes may be associated with this use;
- **"research laboratory"** means administrative, engineering, scientific research, design or experimentation organizations where product testing is an integral part of the operation and where goods or products may be manufactured as necessary for testing, evaluation and test marketing;

## General

- **"residential sales centre"** means a temporary building not greater than 80 sq. m in area, used to market a residential development or undeveloped lots;
- **"restaurant"** means a commercial development where foods and beverages are prepared and served for consumption on-site by the public and may include a take- out component as an accessory development;
- **"retaining wall"** means a structure which supports and contains the ground on a site;
- **"satellite dish antenna"** means a parabolic device and its support structure designed to receive or transmit frequencies transmitted by satellites. This definition does not include dishes under 1 m in diameter;
- **"school, commercial"** means a commercial development used for training and instruction in a trade, skill or service but does not include elementary, secondary or post-secondary schools. Typical uses include trade, secretarial, business, hairdressing, driver training, dancing, music or academic tutoring schools;
- **"school, elementary or secondary"** means a publicly or privately supported or subsidized development used for elementary or secondary education, or both, and includes its administrative offices on the same site. Elementary and secondary schools do not include post-secondary schools or commercial schools;
- **"school, post-secondary"** means a public or private school offering education or instruction to individuals beyond a secondary school. Post-secondary schools include colleges and universities, but do not include commercial schools;
- **"screening"** means the total or partial concealment of a development by a fence, wall, berm, or landscaping;
- **"secondary suite"** means a dwelling, secondary suite; **(BL2/2018)**
- **"semi-detached housing"** means a dwelling, semi-detached; or semi-detached dwelling; **(BL2/2018)**
- **"separation distance"** means an open space around dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy. Separation distance is not a front yard building setback, side yard building setback or rear yard building setback as defined in Section 1.9;
- **"service lane"** means a building access route for motor vehicles found in the rear of a building; **(BL19/2012)**
- **"setback"** means the distance from the wall of a structure to the property line at right angles or radially to it; **(BL19/2006)**
- **"shopping centre"** means a development comprising 3 or more separate commercial use facilities that operate as a unit and share a common parking area;
- **"show home"** means a dwelling unit that is used to exhibit dwelling units for sale or rent;

## General

- **"sight-obscuring screen"** means a continuous fence, wall, evergreen planting, or combination thereof, constructed and/or planted so as to effectively screen the particular use from view. Slatted chain-link fencing is not acceptable as a sight-obscuring screen in areas around parking lots, as a screen in residential districts or between non-residential uses and residential uses or districts;
- **"single-detached house"** means a dwelling, single-detached house; **(BL2/2018)**
- **"site"** means a lot or parcel on which a development exists or occurs or for which an application for a development permit is made;
- **"site density"** means the number of dwelling units per ha of gross site area;
- **"site plan"** means a detailed, dimensional plan at a reproducible scale providing information and graphic depiction of all physical development relationships to occur on a site;
- **"sleeping unit"** means a room that is intended for human occupancy but is not equipped with self-contained cooking facilities. It may provide accommodation for not more than two persons;
- **"sod farm"** means a commercial farm growing of sod through seeding and stripping of topsoil to selling of the final product; **(BL 25/2012)**
- **"solar collector"** means a non-reflective accessory structure attached to a building, used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy; **(BL5/2016)**
- **"specialty store"** includes a book store, florist, craft studio, art gallery, photographic shop, delicatessen, butcher shop, bakery or specialty food store;
- **"specified acts"** means actual or simulated acts of bestiality, buggery, cunnilingus, defecation, fellatio, masturbation, sexual bondage, sexual intercourse, urination, or the sexual bonding, sexual flagellation, sexual mutilation, sexual maiming, sexual murder or sexual torture of one or more human beings or animals;
- **"specified body area"** means:
  - (a) in the case of a female human being, the breasts; and
  - (b) in the case of all human beings, the pubic perineal and perianal areas and the buttocks;
- **"stacked townhousing"** means townhousing, stacked; **(BL2/2018)**
- **"stadium"** means a large building, containing an athletic field, which is used primarily for spectator sporting events. The building can be fully enclosed or built without a roof; **(BL13/2006)**
- **"stepback"** means a minor setback of the building façade above the ground floor storey from the vertical plane established by the façade of the ground floor storey;



## General

- **"storage, indoor facility"** means a building containing units that are used for storage. Storage units are non-portable and constructed within a single, wholly enclosed building with a common entrance to the exterior; **(BL2/2017)**
- **"storage, mini"** means a complex of storage units where each unit contains a separate access from the exterior of the building"; **(BL2/2017)**
- **"storage, outdoor"** means an outdoor area forming part of a development used for the storage of equipment, goods, materials, motor vehicles, recreation vehicles, or products. an outdoor area forming part of a development used for the storage of equipment, goods, materials motor vehicles, recreation vehicles or products; **(BL2/2017)**
- **"storey"** means the space between the top of any floor above finished grade, and the top of the next floor above it, and if there is no floor above it, the part between the top of the floor and the ceiling above it. For the purposes of calculating a storey, walkout basements are not included;
- **"street-oriented townhousing"** means townhousing, street-oriented; **(BL2/2018)**
- **"streetscape"** means the area that lies between the street curb and the building frontage of the adjacent buildings, the role of which is to define the pedestrian corridor and the distinguishing character of a particular street, including landscaping, trees, lawns, sidewalks and other surfacing, lighting, street furniture and signage; **(BL19/2012)**
- **"street wall"** means the wall or fence of a building that is visible from the street; **(BL19/2012)**
- **"stripping"** means any activity that removes or significantly disturbs vegetated or otherwise stabilized soil surface, including clearing and grubbing operations;
- **"Subdivision Authority"** means the authority established in Subdivision Authority Bylaw No. 19/95;
- **"supportive housing"** means housing of a multiple dwelling and/or sleeping unit form intended for permanent residential living that allows residents who have some need for support services to maintain their social and functional independence while having access to common health or recreational support services, including the provision of at least one meal per day, and/or house-keeping services. This use shall be recognized, authorized, licensed, or certified by the public authority under the Alberta Supportive Living Accommodation Licensing Act, but does not include a detention or correction facility. Typical uses include seniors assisted living; **(BL2/2018)**
- **"take-out restaurant"** means a commercial development where foods and beverages are prepared and sold for consumption off-site and which contains no on-site facilities for seating or consumption of food or beverages, but does not include a drive-through;
- **"tandem driveway and or garage"** means one vehicle in front of or behind the other vehicle"; **(BL16/2016)**

## General

- **"telecommunications tower"** means any tower used to provide a broad range of communication services through the transmitting, receiving or relaying of voice and data signals such as radio, cellular, broadcast, Personal Communication Services (PCS) and wireless data. For the purposes of this Bylaw, this excludes Radio Antenna. Examples include cell phone towers and wireless internet towers;
- **"theatre"** means a commercial development where live entertainment or theatre is provided to the public, but does not include a bingo hall, casino, restaurant or adult entertainment;
- **"through street"** means a public roadway built to City standards, other than a lane, that has two separate points of ingress and egress;
- **"topsoil processing and sales"** means the act of stripping and refining raw soil for reuse as topsoil. Typical activities involved with topsoil processing and sales may include stripping, screening, stockpiling and sales of soil;
- **"tower component"** means the high-rise portions of buildings on top of the pedestal; (BL19/2012)
- **"townhousing"** means a single building comprised of 3 or more dwelling units, each unit shall have a separate, direct entrance from the exterior; and includes townhousing, stacked; townhousing, back-to-back, and townhousing, street-oriented; (BL2/2018)
- **"townhousing, back-to-back"** means a single building comprised of 4 or more dwelling units, separated from each other by a party wall extending from foundation to roof. All dwelling units shall have a separate, direct entrance from the exterior; (BL2/2018)
- **"townhousing, stacked"** means a single building comprised of 4 or more dwelling units with at least 1 dwelling unit located totally or partially above another dwelling unit. All dwelling units shall have a separate, direct entrance from the exterior; (BL2/2018)
- **"townhousing, street-oriented"** means a single building comprised of a row of 3 or more dwelling units, with direct access onto a public roadway, not including a common internal roadway. All dwelling units shall have a separate direct entrance from the exterior. The maximum number of street-oriented townhousing units that may be consecutively attached is 6; (BL2/2018)
- **"transit terminal"** means a facility operated for the purpose of providing bus passenger services for publicly-owned or franchised mass transit operations, usually at the convergence of multiple transit routes. Typical facilities may include waiting platforms, bus bays, off-street parking, private access roads, ticket sales and other passenger amenities, but does not include individual bus stops;
- **"transitional residential services"** means a development or part thereof used to provide individuals with temporary residential facilities based upon immediate and compelling need;
- **"transmitting station"** means a development used for the rebroadcast of radio or television signals;

## General

- **"treatment centre"** means a development used to provide rehabilitation treatment to the public including detoxification, mental health, or addictions treatment and may concurrently provide overnight or short term accommodation to residents, but does not include a detention or correction facility; **(BL2/2018)**
- **"unfinished grade"** means the elevation of ground existing at completion of grading, but prior to the placement of soil and sod;
- **"uplighting"** means outdoor lighting that angles upwards to the sky; **(BL19/2012)**
- **"veterinary clinic"** means a development used for the medical care and treatment of small domestic animals and incidental overnight accommodation, but does not include animal service;
- **"video outlet"** means a development where pre-recorded video cassettes, DVD, video games or computer disks are rented to the public for any consideration for use off-site, but does not include adult entertainment facilities;
- **"walkout basement"** means a basement with a direct entrance from the finished grade, but not an entrance through a doorwell located below finished grade;
- **"wall mural"** means a graphic painted or affixed to an exterior wall for decorative purposes only;
- **"warehouse"** means a commercial development for the indoor storage of equipment, goods, motor vehicles, recreation vehicles, materials or products; and
- **"warehouse store"** means a development for the wholesale or retail sale of goods with a gross floor area of 4000 sq. m or greater.

### 1.7. **Designation of Districts**

- (1) For the purpose of this Bylaw, the City is divided into the following land use districts:

Low Density Residential (R1);

Low Density Residential (R2);

Medium Density Residential (R3);

Medium Density Residential (R3A);

Medium/High Density Residential (R4); **(BL4/2008)**

Mixed Residential (RX); **(BL2/2018)**

Mixed Residential Lane (RXL); **(BL2/2018)**

Downtown Residential (DR);

Neighbourhood Commercial (C1);

General Commercial (C2);

## General

Corridor Commercial (CC);  
Mixed Commercial (MC);  
Boardwalk (BW);  
Commercial and Industrial Service (CIS);  
Business Park (BP);  
Business Park Direct Control (BP2); **(BL38/2011)**  
Business Park Transition (BPT); **(BL27/2005)**  
Integrated Care Community (ICC);  
Public Park (P);  
Public and Private Service (PS);  
Institutional Facilities (IF);  
Urban Reserve (UR);  
Direct Control (DC);  
Direct Control Mixed Use (DCMU); **(BL42/2005)**  
Direct Control Northwest Urban Village (DCNUV); **(BL32/2006)**  
Regional Commercial (RC); **(BL24/2009)**; and  
Downtown (DT). **(BL19/2012)**

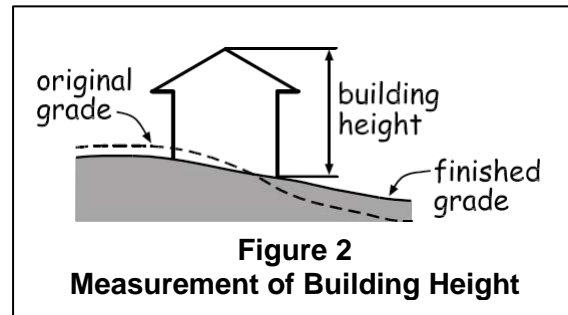
- (2) The boundaries of the land use districts in the City are as delineated on the Land Use District Map being Schedule A to and forming part of this Bylaw.
- (3) Where uncertainty exists as to the boundary of a land use district as shown on the Land Use District Map, the following shall apply:
  - (a) where a boundary is shown as following a street, lane, railway line or watercourse, it shall be deemed to follow the centre line thereof;
  - (b) where a boundary is shown as approximately following a lot line, or the boundary of the City, it shall be deemed to follow the lot or boundary line;
  - (c) in circumstances not covered by clauses (a) and (b) the location of a boundary shall be determined as follows:
    - (i) where dimensions are set out by reference to a legal plan on the Land Use District Map, by the dimensions so set; or

General

- (ii) where no dimensions are set out on the Land Use District with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map by the Development Officer.

**1.8. Measurement of Building Height (Figure 2)**

- (1) Subject to subsection (3), the height of a building is the vertical distance measured from finished grade to the highest point of the building as may be shown on a building elevation plan and building cross-section plan.
- (2) For the purposes of calculating building height, "finished grade" shall be measured using the lowest level of finished ground elevation adjoining a building at any exterior wall as shown on a site plan.



- (3) The following are not considered part of the building for the purpose of measuring building height: elevator housing, mechanical housing, roof stairway entrance, ventilation fan, skylight, steeple, chimney, smokestack, parapet wall, flagpole or similar feature not structurally essential to the building.
- (4) The following are considered part of the building for the purpose of measuring building height: solar collector, signs, satellite dish antenna or radio antenna. (BL5/2016)
- (5) A retaining wall shall not be used to create heights above finished grade to achieve a single storey side yard for a house which otherwise requires a side yard to accommodate a two-storey or walkout development.
- (6) If doubt arises concerning the measurement of the height of an irregular building, it shall be determined by the Development Officer by applying this Bylaw as closely as is possible in the circumstances of the case.

**1.9. Determination and Measurement of Building Setbacks and Lot Dimensions**

- (1) For this Bylaw
  - (a) The front property line of a lot is
    - (i) the property line that adjoins a public roadway, other than a lane; or
    - (ii) in an R1, R2, RX, and RXL District, on a corner lot for a single-detached house the shortest property line that adjoins a public roadway, other than a lane; and (BL2/2018)

General

- (iii) in all other cases, a lot adjoining 2 or more public roadways other than a lane is considered to have a front yard adjoining each public roadway requiring compliance with the yard requirements of the land use district in which the lot is located, notwithstanding that the lot is separated from the public roadway by a public utility lot;
  - (b) The rear property line of a lot is the property line opposite to the front property line;
  - (c) The side property line of a lot is the property line that connects the front and rear property lines;
  - (d) The front yard of a lot is that part of a lot located between the side property lines of a lot in width and from the front property line of the lot to the nearest point of a foundation wall of any building on the lot in depth;
  - (e) The rear yard of a lot is that part of a lot located between the side property lines of the lot in width and from the rear property line to the nearest point of a foundation wall of the principal building on the lot in depth; and
  - (f) The side yard of a lot is that part of a lot that is neither a front yard nor a rear yard, and is measured from the side property line to the nearest point of a foundation wall of the principal building.
- (2) A front yard building setback is measured from the front property line of the lot and at right angles or radially to it.
  - (3) A side yard building setback is measured from the side property line of the lot and at right angles or radially to it.
  - (4) A rear yard building setback is measured from the rear property line of the lot and at right angles or radially to it.
  - (5) If doubt arises as to the required dimensions or building setbacks, they shall be determined by the Development Officer by applying this Bylaw as closely as is possible in the circumstances of each case.
  - (6) If doubt arises as to which is a front, rear or side property line or yard of a lot, the Development Officer shall determine the respective property line or yard by applying this Bylaw as closely as is possible in the circumstances of each case.
  - (7) In an R1, R2, RX, and RXL District, a lot is considered to be a corner lot notwithstanding that the lot is separated from the public roadway along the side by a utility lot. **(BL2/2018)**
  - (8) Lot coverage includes the area covered by the principal building and accessory buildings, but excludes the areas covered by a motor vehicle access or a parking lot.

**General**

- (9) For the purpose of measuring setbacks, a setback shall be measured from the lot line to the nearest point of an architectural projection. If there is no architectural projection, a setback shall be measured from the lot line to the nearest point of a foundation wall.
- (10) If 2 or more lots are consolidated, the Development Officer will determine the yards taking into consideration the surrounding existing development situated on adjacent lots. The Development Officer may request a site plan depicting proposed yards in order to make the determination.

**1.10. Amending the Land Use Bylaw**

- (1) All amendments to the Land Use Bylaw shall be made by an amending Bylaw following a public hearing in accordance with the Act. Application to amend this Bylaw may be made as follows:
  - (a) in the case of an application to amend the Land Use District Map, any owner of a site or his authorized agent or other persons having a legal interest in the site may, in accordance with subsection (2), apply in writing to the City to have the land use designation of the site amended;
  - (b) in the case of an application to amend the text of the Land Use Bylaw, any person may apply in writing to the City to have the text amended; or
  - (c) by the City at any time.
- (2) All applications for amendments to this Bylaw pursuant to subsection (1)(a) shall be made to the City on the application form provided and shall be accompanied by the following:
  - (a) a copy of the certificate of title for the lands affected, copies of any registered caveats or restrictive covenants and any other documents satisfactory to the City verifying that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a public hearing;
  - (b) a statement of the reasons for the request to amend the Bylaw;
  - (c) vicinity maps produced at an appropriate scale that provide dimensions of each boundary of the amendment area, show the relationship of the proposed district to existing land uses in a 90 m radius of the boundaries of the site and provide the location and nature of any prominent geographical or natural features;
  - (d) a fee, as established by Council; and
  - (e) where the applicant is an agent acting for the owner, a letter from the owner verifying the agent's authority to make the application.
- (3) Notwithstanding the requirements of subsection (2), if the application is a request to redesignate to a DC Direct Control District, the City shall require additional information including the following:

## General

- (a) a statement explaining why special development guidelines are necessary and why the same results could not be achieved through the application of any other land use district of this Bylaw;
  - (b) the guidelines that the applicant proposes should be applied to the site which must at least cover use, density, height, parking area, access, amenity area and landscaped area; **(BL2/2018)**
  - (c) conceptual plans showing how the guidelines referred to in clause (b) will achieve the proposed development; and
  - (d) in addition to the requirements of clauses (a) through (c), the City may request such additional information as it feels necessary to properly evaluate and make a recommendation on the application.
- (4) All applications for amendments to this Bylaw pursuant to subsection (1)(b) shall be made to the City on the application form provided and shall be accompanied by the following:
  - (a) a statement of the reasons for the request to amend the Bylaw; and
  - (b) a fee, as established by Council.
- (5) The City may refuse to accept an application to amend this Bylaw if the information required by subsection (2) or (4), and subsection (3) if applicable, has not been supplied or if, in its opinion, is of inadequate quality to properly evaluate the application.
- (6) After accepting an application to amend this Bylaw, the application shall be processed for consideration by Council in accordance with the City's requirements.
- (7) Where an application for amendment to this Bylaw under subsection (1)(a) has been refused by Council or withdrawn by the applicant after advertisement of the proposed amendment Bylaw, another application for amendment on the same site for the same or similar proposed use of land shall not be made by the same or any other applicant until at least 6 months:
  - (a) from the date of Council's decision; or
  - (b) from the date the applicant's letter of withdrawal is received by the City.



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## General Regulations

### 6.1. **Application**

This part shall apply to all land use districts under this Bylaw.

### 6.2. **Adult Entertainment**

Any site containing an adult entertainment facility must be located:

- (a) at least 150 m from the nearest residential district;
- (b) at least 100 m from any site on which there is an arena, school, religious assembly, day care facility, community hall or park;
- (c) at least 100 m from a P, PS or IF District; and
- (d) at least 25 m from the nearest site upon which there is another adult entertainment facility.

### 6.3. **Bare Land Condominium Use**

- (1) A bare land condominium unit must comply with all the general regulations of this Bylaw and with the regulations applicable to the district within which the bare land condominium unit is located as if the unit were a lot or site.
- (2) With the exception of common property lines on semi-detached or attached units, no building on a bare land condominium unit may encroach on any property line, utility easement or right-of-way.
- (3) A bare land condominium plan shall be treated in all respects as though it were a plan of subdivision and shall comply with all requirements for a subdivision, including, but not limited to:
  - (a) adequate pedestrian and vehicle access;
  - (b) provision of supply of water, electrical power, gas and sanitary sewer and storm drainage; and
  - (c) sequencing and timing of construction of all buildings and servicing.

### 6.4. **Bed and Breakfast**

Bed and breakfast establishments shall:

- (a) have no cooking facilities in a guest room;
- (b) have a minimum guest room size of 7 sq. m per single occupant and 4.6 sq. m per person for multiple occupants;
- (c) have a window for each guest room in accordance with the Alberta Building Code in effect at the date of the application for development permit; and

## General Regulations

- (d) have sanitation facilities and potable water as required by relevant authorities.

### **6.5. Cannabis Retail Store**

- (1) A Cannabis Retail Store must be located at least 100m from any other Cannabis Retail Store. For the purposes of this subsection only, the separation distance shall be measured from the closest point of the proposed Cannabis Retail Store to the closest point of any other approved Cannabis Retail Store;
- (2) At the time of Development Permit application, the closest point of the proposed Cannabis Retail Store must be located at least:
  - (a) 100m from the boundary of any parcel upon which a provincial health care facility (hospital) is located;
  - (b) 150m from the boundary of any parcel upon which a community hall facility; a City operated indoor recreation service facility; or a City operated outdoor recreation service facility, is located;
  - (c) 150m from the boundary of any parcel upon which a school is located;
  - (d) 150m from the closest point of any licensed day care facility;
  - (e) 100m from the boundary of a parcel that is designated as a municipal and school reserve or school reserve on the certificate of title.
- (3) Notwithstanding the prescribed minimum separation distances in Section 6.5(2), where a major arterial roadway, as identified in Schedule B of this Bylaw, separates the proposed location of a Cannabis Retail Store from any of the facilities, uses or reserves mentioned in Section 6.5(2), such a proposed Cannabis Retail Store may be located across that arterial roadway from the facility, use or reserve, at a lesser separation distance.
- (4) Notwithstanding Section 3.14(3), when considering a variance to the required separation distance for a Cannabis Retail Store to any of the facilities, uses or reserves mentioned in Section 6.5(2), the variance shall not exceed 10m:
  - (a) Notwithstanding Section 6.5(4), in the case of Section 6.5(3), the Development Officer shall assess the merits of the application and may at its discretion, vary the separation distance.

## General Regulations

### **6.6.5 Commercial School and Day Care Facility**

- (1) The maximum number of patrons for which a service may be provided in a Commercial School or Day Care Facility shall be determined by the Development Officer having regard for the gross floor area of the School or Day Care Facility, the nature of the School or Day Care Facility and the District in which it is located, potential increases in traffic and the location of the use in relation to other uses in the area of the development.
- (2) A Commercial School or Day Care Facility that includes a playground, shall provide a separate access to the playground area from the principal building and the playground area shall be enclosed by a fence at least 2 m in height from finished grade, subject to Section 6.6.
- (3) At the discretion of the Development Officer, a Commercial School or Day Care Facility shall provide a drop-off area for the loading and unloading of patrons from vehicles so that the development does not interfere with the regular flow of on-site or neighbouring traffic.

### **6.7.6- Corner Lots - Traffic Sight Lines**

- (a) On a corner lot, there shall be no development greater than 1 m in height, within the triangular area created by the property lines that form the corner and a straight line connecting the two points 7.5 m back along these property lines measured from their intersection;
- (b) if a corner cut has been taken, the area in clause (a) shall be determined 7.5 m back from what would have been the intersection of property lines if the corner cut had not been taken; and
- (c) in a MC, DT or BW District, the triangular area shall be determined using a line 4 m back from the intersection or projected intersection in clause (a) or (b), unless another distance is required by the Development Officer; and **(BL19/2012)**
- (d) in a DCMU district, the traffic sight lines required in clause (a) may be reduced at the discretion of the Development Officer in consultation with Engineering Services considering the safe functioning of streets and the provision of adequate vehicular sight lines. **(BL 6/2016)**

### **6.8.7- Design, Character and Appearance of Buildings**

- (1) The design, character and appearance of a building including but not limited to all accessory buildings and relocatable buildings, must be
  - (a) compatible with any other buildings existing on the site and in the vicinity, unless the building, in the opinion of the Development Officer, sets a higher standard of design, character and appearance for a land use district or part of it; and
  - (b) consistent with the purpose and regulations of the land use district in which the building is located.

## General Regulations

- (2) The exterior finish of a building, including but not limited to a single-detached house, must be completed within 2 years of the date the development permit is issued unless otherwise stipulated by the development permit.

### **6.9.8. Easements**

Notwithstanding that a development otherwise complies with this Bylaw

- (a) a development permit shall not be issued for a development that encroaches into or over a utility easement or right-of-way without the written consent of the owner of the easement or right-of-way and the person whose utility line is found in the easement or right-of-way; and
- (b) a principal building or dwelling unit located on a property adjacent to a railway right-of-way must be located at least 15 m from the closest edge of the railway right-of-way property line to the closest edge of the building.  
**(BL2/2018)**

### **6.10.9. Emergency Access Lanes**

In a shopping centre

- (a) emergency access routes and fire lanes shall be provided in accordance with the Alberta Building Code in effect at the date of the application for development permit; and
- (b) emergency access routes and fire lanes shall be appropriately signed to prohibit obstruction.

### **6.11.40. Designated Flood Line (BL25/2011)**

- (1) The designated flood line is indicated on the maps in Schedule G. The cross-sections provided on the maps in Schedule G are based on the *Big Lake Basin Task Force: Floodplain Delineation for the City of St. Albert – Sturgeon River*, Final Report of May 15, 2007 and *Big Lake Basin Task Force: Floodplain Delineation for the City of St. Albert – Carrot Creek*, Final Report of March 15, 2007; and have been taken perpendicular to the natural boundaries of the watercourses at their highest perpendicular points. **(BL7/2015)**
- (2) Developments including, but not limited to, new construction and substantial improvements are prohibited below the designated flood line.
- (3) The designated flood line is the boundary of any filling of land.
- (4) Notwithstanding Section 6.10.(2), development permitted below the designated flood line shall require the approval of the Development Officer in consultation with the City Engineer, and is restricted to:
- (a) development for the purpose of flood control;
- (b) public utility building;
- (c) public utility;

## General Regulations

- (d) bridge or public roadway;
  - (e) temporary campgrounds;
  - (f) pedestrian walkways, parks and trails;
  - (g) golf courses;
  - (h) uninhabited accessory buildings;
  - (i) outdoor recreation service use that would not obstruct the area below the designated flood line; and
  - (j) naturalized stormwater management facility that meets the approval of the City Engineer.
- (5) A structure or premises which lawfully existed below the designated flood line before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the conditions outlined in Section 3.15. Non-Conforming Development and Section 643 of the *Municipal Government Act*.
- (6) For lots adjacent to the designated flood line, or of which a portion lies below the designated flood line, prior to the issuance of a development permit the Development Officer shall require that the applicant submit a set of stamped plans certified by a registered Professional Engineer or Architect which confirms that the requirements of Section 6.10. have been incorporated in the design of the proposed development and identifies the freeboard elevation at 0.5 meters above the designated flood line. **(BL 7/2015)**
- (7) The Development Officer shall circulate a development permit application for a development located on a property adjacent to, or including, the designated flood line to the City's Engineering Department for review and comment with respect to the suitability of the proposed development.
- (8) The requirements of this Section, 6.10., apply to both the permitted and discretionary uses of the land use district applicable to the parcel.
- (9) Notwithstanding Subsections (1) through (8), nothing in this Section 6.10. or on the maps in Schedule G modifies, overrides or changes the land use districting as outlined in Schedule A.
- (10) The designated flood line as outlined in the maps in Schedule G is presented for reference purposes only and has been generalized for presentation purposes and is not guaranteed for accuracy. The Development Officer will rely on the information required under Subsection (6) to determine the designated flood line on an individual property.

## General Regulations

### **6.12.41. Garbage Storage**

Garbage storage must be located in

- (a) a storage bay within, or attached to, the principal building, or
- (b) a freestanding enclosure designed to the satisfaction of the Development Officer.

### **6.13.12. Home Occupation**

- (1) A person conducting a home occupation shall not
  - (a) advertise the home occupation on a sign outside the dwelling unit or garage in which the home occupation is located, unless the sign complies with Schedule C, Sign Regulations;
  - (b) store materials, commodities or finished products associated with the home occupation outside the dwelling unit or garage; and
  - (c) use mechanical equipment in connection with the occupation, unless the equipment is commonly used in a home.
- (2) If a person provides instruction as a home occupation, no more than 5 students or customers shall be in attendance at the site at any one time.
- (3) No person, other than a resident of the dwelling unit, shall be employed in a home occupation.
- (4) The home occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling unit or garage involved.
- (5) A home occupation shall not be permitted if
  - (a) it produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance; and
  - (b) the Development Officer determines that such use would be more appropriately located in a commercial or industrial district having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.
- (6) A development permit for a home occupation shall expire after an initial 12-month period. Upon the expiry of the development permit, the permit holder may apply for a Development Permit. The Development Officer, subject to the provisions of Section 6.12, may grant the Development Permit for a specified time period.

## General Regulations

### 6.14.13. Landscaping

- (1) A landscaped area shall not be permitted if, in the opinion of the Development Officer, it would obstruct traffic sight lines either on the site or on a public roadway.
- (2) Except as otherwise provided in this Bylaw, trees required for a landscaped area must meet the following standards:
  - (a) deciduous trees must have a minimum caliper width of 60 mm at the time of planting;
  - (b) coniferous trees must be a minimum height of 2.4 m at the time of planting;
  - (c) if a tree does not survive a 2 year maintenance period, the applicant for the development permit must replace it with a tree in accordance with clauses (2)(a) or (2)(b);
  - (d) trees must be of a species suitable for the specific application or site;
  - (e) where a landscaped area is required adjacent to a City boulevard, the tree species and planting must complement the City boulevard trees as required by the Development Officer; and
  - (f) where at the time of development the area between the front property line and the curb and/or the curb and sidewalk is not landscaped, this area shall be landscaped to City standards.
- (3) Subsection (2) does not apply to a development involving single-detached or semi-detached dwelling units, unless the site is located within the Established Neighbourhood Overlay District. **(BL19/2006)**
- (4) Caliper width of a tree shall be measured as follows:
  - (a) 150 mm above grade for trees with a caliper of less than 100 mm; and
  - (b) 300 mm above grade for trees with a caliper of more than 100 mm.
- (5) Landscaped Buffer

In a district other than a residential district, where this Bylaw requires a landscaped buffer on a site adjacent to a residential use or district, the landscaped buffer:

- (a) must include a mix of deciduous trees and coniferous trees which mix must be comprised of at least 60% coniferous trees unless otherwise determined by the Development Officer taking site features into account;
- (b) must include trees, that in the opinion of the Development Officer, would be sufficient to screen the residential use or district from the commercial or industrial development;



## General Regulations

- (c) must have trees that are a minimum of 6 m in height at maturity;
- (d) must have the minimum width as specified for each district as follows unless otherwise determined by the Development Officer taking site features into account: **(BL27/2005)**

District	Width of Landscaped Buffer
(i) C1	3.5m
(ii) C2	4m
(iii) CC	6m
(iv) CIS, BP2, BPT and BP (BL38/2011)	
(v) All Other Districts	As determined by the Development Officer to provide a suitable buffer between the respective land uses; and

- (e) may, at the discretion of the Development Officer, include shrubs in addition to trees in the landscaped buffer provided that the shrubs have a minimum height at maturity of 2 m.

### (6) Parking Lots

If a parking lot located in a C1, C2, CC, CIS, BP, BP2, BPT, RC, PS, DCMU, DCNUV and IF District is required to be landscaped, those trees must be planted in accordance with the following standards: **(BL27/2005; BL42/2005; BL32/2006; BL24/2009; BL38/2011)**

- (a) trees must be planted at a minimum ratio of 1 tree per 5 parking stalls for single row parking and a minimum ratio of 1 tree per 10 parking stalls for double row parking;
- (b) the ratio of trees to parking stalls required under (a) may be reduced by the Development Officer where site conditions, including but not limited to location, size, sight lines, and climatic factors, warrant a lesser ratio; and
- (c) a landscaped island must be:
  - (i) designed to protect trees and ground cover from damage;
  - (ii) raised a minimum of 150 mm above the finished grade; and
  - (iii) finished with tree grates, ground cover vegetation or hard landscaping.

### (7) Perimeter Landscaping

Subject to Section 6.6, a development located on a site in a C1, C2, CC, CIS, DCNUV, BP, BP2, BPT, or RC District that adjoins a public roadway, except a lane, or is adjacent to a P, PS or IF District, must be landscaped in accordance with the following: **(BL27/2005; BL42/2005; BL32/2006; BL24/2009; BL38/2011; BL6/2016)**

## General Regulations

- (a) there must be a landscaped area at least 3.5 m wide around the perimeter of the private lot, adjacent to the public roadway; **(BL13/2006)**
  - (b) if deciduous trees are planted, they must be planted at regular intervals, and if coniferous trees are planted, they must be planted in clusters of 3;
  - (c) trees must be located a minimum of 2 m from the property line; and
  - (d) trees must be a minimum of 6 m in height at maturity.
- (8) Blank Wall

A development located on a site in a C1, C2, CC, CIS, DCMU, DCNUV, BP, BP2, BPT, RC or IF District that has a blank wall facing a P District or public roadway, except a lane, must be landscaped in accordance with the following: **(BL27/2005; BL42/2005; BL32/2006; BL24/2009; BL38/2011)**

  - (a) if deciduous trees are planted they must be planted along the blank wall at regular intervals and if coniferous trees are planted they must be planted in clusters of 3;
  - (b) the trees required under clause (a) must be a minimum of 6 m in height at maturity; and
  - (c) shrubs may be planted between the trees provided they reach a minimum height of 2 m at maturity.
- (9) Unless otherwise required by a Development Agreement or by the Development Officer, landscaping of a site subject to a development permit, including but not limited to a single-detached house, shall be completed within 2 years of approval of the building permit.
- (10) Driveways in a residential district must be paved unless otherwise determined by the Development Officer having regard to the characteristics of landscaped areas in the vicinity or neighbourhood.

### **6.15.44. Livestock**

Developments involving livestock are prohibited except as part of an agricultural use and then shall only be allowed in accordance with the relevant municipal bylaws.

### **6.16.15. Live/Work Units** (BL14/2008)

- (1) Live/work units shall comply with the density provisions or floor area ratio requirements of the underlying district.
- (2) All live/work units should maintain a commercial component, which must comply with the following:
  - (a) the floor area devoted to the commercial component should not exceed 50% of the unit; and
  - (b) the commercial component shall be:

## General Regulations

- (i) located at grade; and
  - (ii) have a public entry oriented to and directly accessible from a public roadway, other than a lane or an undeveloped registered road plan.
- (3) Commercial component uses shall be limited to those uses allowed as a permitted or discretionary use in the underlying land use district and shall be subject to a separate Development Permit application.
- (4) There shall be direct access between the residential and commercial components of the unit.
- (5) Materials, commodities or finished products associated with the commercial use shall not be stored:
  - (a) outside of the unit; or
  - (b) in a parking stall, including a garage, required to meet minimum parking requirements in Part 7 of this Bylaw.
- (6) A maximum of two non-resident employees or business partners may work in the unit, and at least one employee or business partner must live in the unit.
- (7) Notwithstanding subsection (4), the residential component shall be separated from the commercial component by a wall, ceiling, door or other separation as approved by the Development Officer.
- (8) Notwithstanding Schedule C, each unit shall only be allowed 1 A-board, awning, canopy, fascia or projecting sign.

### **6.17.46. Outdoor Lighting**

- (1) Outdoor lighting must comply with this subsection unless otherwise allowed under this Bylaw.
- (2) Outdoor lighting must be located and arranged so that:
  - (a) rays of light are not directed at an adjacent site and indirect rays of light do not adversely affect an adjacent site; and
  - (b) traffic safety is not adversely affected.

### **6.18.47. Outdoor Storage**

Outdoor storage, located on a site adjacent to a P, PS, IF, or residential district shall only be permitted at the discretion of the Development Officer if

- (a) it is screened by:
  - (i) an on-site building,
  - (ii) a solid fence or wall, or

## General Regulations

- (iii) on-site landscaping that provides a year-round screen; and
- (b) it otherwise complies with this Bylaw.

### 6.19.48. Pre-fabricated Trailer

A development permit for a pre-fabricated trailer to be used temporarily for a residential sales centre, sales office, outdoor recreation or public assembly use may be granted at the discretion of the Development Officer for a period specified in the permit.

### 6.20.49. Prohibited Uses

- (1) Notwithstanding any other provision in this Bylaw, the following uses, unless specifically listed as a permitted or discretionary use in the land use district where the site is located, are prohibited as accessory uses to any other use:
  - (a) adult entertainment facilities;
  - (b) animal service;
  - (c) automotive body and paint service;
  - (d) bed and breakfast;
  - (e) bingo hall;
  - (f) boarding house;
  - (g) bulk oil and chemical storage;
  - (h) cannabis lounge;
  - ~~(i)~~ car wash;
  - ~~(j)~~ casino;
  - ~~(k)~~ day care facility;
  - ~~(l)~~ drive-through business; **(BL19/2012)**
  - ~~(m)~~ fleet service;
  - ~~(n)~~ funeral home;
  - ~~(o)~~ group home;
  - ~~(p)~~ health service;
  - ~~(q)~~ hospital;
  - ~~(r)~~ hotel;
  - ~~(s)~~ general industrial **(BL12/2012)**
  - ~~(t)~~ intensive agriculture;

## General Regulations

- (~~ut~~) light industrial;  
medium industrial; (BL12/2012)
  - (~~vt~~) long term care housing;
  - (~~wv~~) pool hall;
  - (~~xw~~) research and development business;
  - (~~yx~~) research laboratory;
  - (~~zy~~) school, commercial;
  - (~~aa~~) school, elementary or secondary;
  - (~~baa~~) school, post-secondary;
  - (~~ccb~~) supportive housing; or
  - (~~dde~~) treatment centre.
- (2) Automotive wrecker is a prohibited use in all land use districts.
- (3) Unless otherwise stated, no person shall use, or permit to be used an accessory building for human occupancy. (BL2/2018)
- (4) Notwithstanding subsection (3), in a commercial or industrial land use district or for a property containing a campground or designated as park under Schedule A of this Bylaw the Development Officer may approve an accessory building for human occupancy for the sole purpose of providing security provided that such use complies with all applicable building code and health standards. (BL30/2007)
- A Phase 1 Environmental Site Assessment (ESA) on industrial site for residential use is required at time of Development Permit application, and further ESA phases may be required depending on each outcome. (BL12/2012)

### 6.21.20. Public Utility Lots

Notwithstanding that a development otherwise complies with this Bylaw, a development permit shall not be issued for a development that encroaches into or over a Public Utility Lot without written consent of the owner.

### 6.22.21. Residential Sales Centre

A residential sales centre:

- (1) must have an exterior finish similar to the existing or proposed residences in the vicinity, unless otherwise permitted by the Development Officer;
- (2) must not be operated for a period of more than 12 months, but the Development Officer may upon application renew a development permit once for up to 12 additional months; and

## General Regulations

- (a) notwithstanding 6.21.(2) permits for residential sales centres in the DCMU district may be renewed annually in conjunction with active development and a valid Development Permit. **(BL6/2016)**

### **6.23.22.Show Home and Raffle Home**

- (1) Where a dwelling unit is used as a show home or raffle home, a separate development permit must be obtained for that use.
- (2) Once the use of a show home or raffle home ceases, any area of the development used as sales office or display area shall revert to residential use.
- (3) A temporary breezeway may connect 2 or more show homes or raffle homes if permitted by the Development Officer.
- (4) The show home or raffle home must provide sufficient on-site and off-site parking, in the opinion of the Development Officer, to ensure that adjacent sites would not be adversely affected.
- (5) A show home must not be operated for a period of more than 12 months, but the Development Officer may upon application renew a development permit once for up to 12 additional months.
- (6) A raffle home must not be operated for a period of more than 9 months, but the Development Officer may upon application renew a development permit once for up to 9 additional months.
- (7) A raffle home may only be used for the purposes of:
  - (a) public viewing; and
  - (b) sale of tickets in connection with a lottery or raffle in which the home is a prize.
- (8) Where a show home is proposed in a new subdivision, the plan of subdivision for the lots shall be registered prior to issuance of a development permit for the show home.

### **6.24.23.Solar Collectors** (BL5/2016)

- (1) A solar collector shall be located on the wall or roof of a building.
- (2) Within the R1, R2, RX, and RXL Residential Land Use Districts: **(BL2/2018)**
  - (a) a solar collector mounted on a roof with a pitch of less than 4:12 must not extend beyond the outermost edge of the roof, but may:
    - (i) project a maximum of 0.5 m from the surface of the roof when the solar collector is located 5.0 m or less from a side property line, measured directly from any point along the side property line; and

## General Regulations

- (ii) where the solar collector is located more than 5.0 m from a side property line, it may project a maximum of 1.3 m from the surface of the roof.
- (b) a solar collector mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof and must not extend beyond the outermost edge of the roof.
- (3) Within all Land Use Districts except R1, R2, RX, and RXL Residential Land Use Districts: **(BL2/2018)**
  - (a) a solar collector mounted on a roof with a pitch of less than 4:12 may project a maximum of 2.0 m from the surface of the roof and must be located at least 1.0m inward from the outermost edge of the roof.
  - (b) a solar collector mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof and must not extend beyond the outermost edge of the roof.
- (4) A solar collector mounted on a pitched roof shall not project vertically beyond the height of any existing roofline or any roof peak.
- (5) In all instances, the maximum distance by which a solar collector may project from the surface of the roof is determined by measuring the perpendicular distance between the surface of the roof and the exterior surface of the solar collector.
- (6) A solar collector that is mounted on a wall:
  - (a) shall be located a minimum of 2.4 m above grade; and
  - (b) may project a maximum of 0.6 m from the surface of that wall.

### **6.25.24. Stripping and Grading**

- (1) With the exception of those lands governed by a valid development agreement, stripping and grading activities are considered a discretionary use in all districts and require a development permit.
- (2) In making a decision for a development permit application for stripping and grading, the development officer may impose conditions to:
  - (a) address on-site areas which are subject to erosion, and off-site areas which are vulnerable to damage from erosion and/or sedimentation;
  - (b) limit exposure of loose soil for the shortest feasible time;
  - (c) minimize the size of the area to be exposed at any one time;
  - (d) control surface water runoff originating upgrade of exposed areas to reduce erosion and sediment loss during the period of exposure;
  - (e) reduce impacts on privacy or view of adjacent properties; and

## General Regulations

- (f) prevent off-site sedimentation damage.

### **6.26.25. Telecommunication Towers**

- (1) Notwithstanding any other provision of this Bylaw, but subject to Section 2.1(4), Industry Canada regulates the telecommunications industry in Canada and is the authority that approves the location of telecommunication towers.
- (2) Preferred locations for the siting of telecommunication towers include lands districted as BP, BP2, BPT, CIS, RC, C1, C2, CC, DR, R4, MC, DCMU, DCNUV, PS (non school sites) and UR. **(BL 25/2012)**
- (3) Notwithstanding 6.24(2), roof-top towers are preferred in lands districted C1, C2, DR, MC, R4, DCMU, DCNUV, DT and PS. **(BL19/2012)**
- (4) Emergency Services related directly to fire, police and hospital services on lands districted as PS and IF are considered preferred locations solely for towers proposed to enhance emergency uses on those sites.
- (5) Discouraged locations for the siting of telecommunication towers include:
  - (a) lands districted as P, R1, R2, RX, RXL, R3, R3A, ICC, IF;
  - (b) lands designated as a Municipal Historical Resource through Municipal Bylaw or lands designated as a Provincial Historical Resource by the Province of Alberta;
  - (c) lands located within 800 m of Big Lake;
  - (d) lands identified as being environmentally sensitive areas, and
  - (e) local wetlands, riparian areas, areas of large bird concentrations, bird flyways such as ridges and breaks in river vegetation, and areas where visible bird staging and nesting exist.

### **6.27.26. Vehicle Access**

- (1) A lot must have at least one legal means of motor vehicle access.
- (2) Access shall not be allowed from a public roadway across a lot to another public roadway other than a laneway.
- (3) A motor vehicle access from a lot to a public roadway listed in Schedule B must
  - (a) have a turning space on the lot so that motor vehicles leaving the lot do not back into the major arterial roadway; and
  - (b) comply with the City Traffic Bylaw.



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## Parking Regulations

### 7.1. Application

This part shall apply to all land use districts under this Bylaw.

### 7.2. On-Site Parking and Loading - Interpretive Provisions

- (1) If a calculation under Sections 7.3 to 7.8 results in a fractional number, the number shall be rounded upwards to the next whole number.
- (2) When a parking stall is required to be provided under Sections 7.3 to 7.8, it shall be located on the same lot as the building or use in respect of which it is required unless this Bylaw or the Development Officer otherwise permits.
- (3) For the purpose of Section 7.3
  - (a) "elementary or junior high school" means a publicly or privately supported or subsidized development used for educating students in grades 1 through 9, or a portion thereof;
  - (b) "maximum working shift" means the time period during that the greatest number of employees are required to be present at the development; and
  - (c) "senior high school" means a publicly or privately supported or subsidized development used for educating students in grades 10, 11 or 12.
- (4) For the purpose of Section 7.3, parking accommodated within private garage spaces will be counted as part of the minimum parking requirement calculations providing the following is met:
  - (a) Within a single width vehicle garage there exists clear space with a minimum depth of 5.8 m and a minimum width of 3 m (measured from the finished interior dimensions), which space must be unobstructed by any structural or fixed projection including, but not limited to, cantilever, landing, stairs, and chimney. In addition, a driveway pad must be provided.
  - (b) Within a double width vehicle garage there exists clear space with a minimum depth of 5.8 m and a minimum width of 5.8 m (measured from the finished interior dimensions), which space must be unobstructed by any structural or fixed projection including, but not limited to, cantilever, landing, stairs, and chimney.
  - (c) Within a tandem garage there exists clear space with a minimum depth of 11.6 m and a minimum width of 3 m (measured from the finished interior dimensions), which space must be unobstructed by any structural or fixed projection including, but not limited to, cantilever, landing, stairs, and chimney. **(BL16/2016)**
- (5) For the purpose of Section 7.3(1) Residential Use (i) dwelling, basement suite; dwelling, garage suite; dwelling, garden suite; and dwelling, secondary suite; no more than 2 of the total required parking spaces shall be located in tandem. **(BL16/2016; BL2/2018)**

## Parking Regulations

### 7.3 On-Site Parking Requirements

On-site parking shall be provided as follows:

(1) Residential Use

Land Use	Minimum Parking Requirement
(a) apartment building, dwelling units above commercial uses	(i) 1 stall per bachelor suite or 1 bedroom dwelling unit, plus (ii) 1.5 stalls per 2 bedroom dwelling unit, plus (iii) 2 stalls per 3 bedroom dwelling unit or greater, plus (iv) 1 stall per 5 dwelling units for visitor parking; <b>(BL28/2010)</b>
(b) dwelling, basement suite <b>(BL7/2007)</b> ; dwelling, garage suite; dwelling, garden suite; dwelling, secondary suite <b>(BL2/2018)</b>	(i) 1 stall per bachelor suite, 1 or 2 bedroom dwelling unit (ii) 2 stalls per 3+ bedroom dwelling unit <b>(BL2/2018)</b>
(c) dwelling, duplex; dwelling, mobile home; dwelling, semi-detached; dwelling, single-detached house; and townhousing <b>(BL2/2018)</b>	(i) 2 stalls per dwelling unit; <b>(BL2/2018)</b>
(d) dwelling, live/work unit <b>(BL14/2008, BL2/2018)</b>	(i) a minimum of 2 stalls for the residential component, and (ii) 1 stall per 45 sq. m of gross floor area for the commercial component, (iii) Notwithstanding clauses (i) and (ii), a Development Officer may vary the parking requirements based upon the number of bedrooms in the residential component, or the provision of adjacent parking on a public roadway or in a common parking area accessible to the public;
(e) group home	(i) 1 parking space per 3 sleeping units and 1 parking space per resident staff member;
<del>(e) limited group home <b>(BL2/2018)</b></del>	<del>(i) 2 parking spaces per limited group home;</del>
(f) long term care housing	(i) a minimum of 1 stall per 5 dwelling units, plus (ii) 1 stall per 7 dwelling units for visitor parking, plus (iii) 1 stall per employee required during the maximum working shift;

## Parking Regulations

Land Use	Minimum Parking Requirement
(g) major home occupation (BL25/2012)	(i) Minimum 1 stall per non-resident on-site employee working on the property at the same time.
(h) supportive housing	(i) 1 stall per dwelling unit or 1 stall per 5 dwelling units for each non-self-contained supportive housing unit, plus (ii) 1 stall per 7 dwelling units for visitor parking, plus (iii) 1 stall per employee required during the maximum working shift;
(i) townhousing within a condominium development (BL2/2018)	(i) 2 stalls per dwelling unit, plus (ii) 1 stall per 5 dwelling units for visitor parking; (BL9/2013)
<del>(i) basement suite (BL7/2007; BL2/2018)</del>	<del>(i) 1 stall per bachelor suite, 1 or 2 bedroom dwelling unit</del> <del>(ii) 2 stalls per 3+ bedroom dwelling unit</del>

(2) Non-residential Use (BL19/2012)

Land Use	Minimum Parking Requirement
(a) amusement arcade, pool hall	(i) as required by the Development Officer;
(b) art gallery, museum	(i) as required by the Development Officer;
(c) auction facility, community hall	(i) 1 stall per 5 seats for patrons or 1 stall per 20 sq. m of gross floor area, whichever is the greater;

## Parking Regulations

Land Use	Minimum Parking Requirement
(d) animal service, artist studio, automotive body and paint service, automotive sales and service, automotive service, automotive specialty, catering service, commercial school, construction service, convenience store, farm equipment sales and services; financial institution, gas bar, general retail store, general service, health service, household repair service, industrial heavy vehicle and equipment sales and services; pharmacy, professional office, recreation vehicle sales and service, specialty store, take-out restaurant, veterinary clinic and video outlet <b>(BL38/2011)(BL12/2012)</b>	(i) 1 stall per 45 sq. m of gross floor area;
(e) bed & breakfast, hotel	(i) 1 stall per guest room, plus (ii) additional stalls in accordance with the parking requirements of this section for any other uses which form part of the hotel;
(f) broadcasting studio	(i) as required by the Development Officer;
(g) <u>cannabis retail store</u> , business support service and liquor store	(i) in an MC, DT or BW District - 1 stall per 45 sq. m gross floor area; or (ii) in all other land use districts - 1 stall per 30 sq. m of gross floor area;
(h) campground	(i) as required by the Development Officer;
(i) car wash	(i) as required by the Development Officer;
(j) casino and bingo hall	(i) 1 stall per 2.5 seats;
(k) cemetery	(i) as required by the Development Officer;
(l) chemical processing	(i) as required by the Development Officer;
(m) day care facility and family day home	(i) 4 stalls; or (ii) 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater;
(n) drinking establishment and restaurant	(i) in an MC, DT or BW District, 1 stall per 6 seats; or (ii) in all other districts, 1 stall per 4 seats;
(o) drive-through business;	(i) as required by the Development Officer;

## Parking Regulations

Land Use	Minimum Parking Requirement
(p) elementary or junior high school;	(i) 1 stall per 20 students based on the projected design capacity of the facility; (ii) clause (i) applies to any subsequent expansion;
(q) exhibition grounds, park, stadium	(i) as required by the Development Officer;
(q.1) fleet service ( <b>BL38/2011</b> )	(i) as required by the Development Officer;
(r) funeral home	(i) 1 stall per 5 seats, plus (ii) 1 stall per funeral home vehicle;
(s) government service	(i) 1 stall per 8 seats or 1 stall per 45 sq. m of gross floor area, whichever is the greater;
(t) greenhouse and plant nursery	(i) as required by the Development Officer;
(u) grocery store	(i) 1 stall per 20 sq. m of gross floor area;
(v) hospital, treatment centre	(i) 1 stall per 4 patient or resident beds, plus (ii) 1.5 stalls per employee required during the maximum working shift;
(w) indoor and outdoor recreation service	(i) 1 stall per 5 seats for areas with fixed seating, plus (ii) 1 stall per 10 sq. m of gross floor area for uses without fixed seating; (iii) Notwithstanding clauses (i) and (ii), the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service;
(x) general industrial, light industrial, research and development business, and research laboratory ( <b>BL38/2011</b> ; <b>BL12/2012</b> )	(i) 5 stalls or 1 stall for every 3 employees required during the maximum working shift, whichever is greater;
(x.1) mezzanine ( <b>BL38/2011</b> )	(i) as required by the Development Officer and may take into account the potential future addition of mezzanine space based on the building design;
(y) <u>cannabis production and distribution facility (CPDF)</u> , mini-storage, warehouse, outdoor storage, equipment rental and indoor storage facility ( <b>BL2/2017</b> )	(i) 1 stall for every 3 employees required during the maximum working shift; plus 1 stall per 90 sq. m of gross floor area; (ii) the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw; ( <b>BL2/2017</b> )

## Parking Regulations

Land Use	Minimum Parking Requirement
(z) post secondary schools, other schools	(i) as required by the Development Officer;
(aa) public utility building	(i) as required by the Development Officer;
(bb) recycling depot	(i) as required by the Development Officer;
(cc) religious assembly	(i) 1 stall per 8 seats or 1 stall per 45 sq. m of gross floor area, whichever is the greater;
(dd) senior high school	(i) 4 stalls per 20 students based on the projected design capacity; (ii) clause (i) applies to any subsequent expansion;
(ee) show home, raffle home, and residential sales centre	(i) as required by the Development Officer;
(ff) theatre and cinema	(i) 1 stall per 10 seats in an MC district; or (ii) 1 stall per 4 seats in all other districts;
(gg) transitional residential services	(i) as required by the Development Officer;
(hh) transit terminal	(i) 50 stalls or as otherwise required by the Development Officer;
(hh.1) transmitting station ( <b>BL38/2011</b> )	(i) as required by the Development Officer;
(ii) warehouse store	(i) 1 stall per 3 full-time employees required during the maximum working shift; plus 1 stall per 50 sq. m of gross floor area;

(3) Shopping Centre and Multi-Tenant Buildings (**BL19/2012; BL38/2011**)

Land Use	Minimum Parking Requirement
(a) shopping centre which is 10,000 sq. m or less in gross floor area in a C2, CC, RC or DCNUV District ( <b>BL32/2006; BL24/2009</b> )	(i) 1 stall per 30 sq. m of gross floor area;
(b) shopping centre which is greater than 10,000 sq. m in gross floor area in a C2, RC or CC District ( <b>BL24/2009</b> )	(i) 1 stall per 25 sq. m of gross floor area;
(c) shopping centre in an MC, DT or BW District	(i) 1 stall per 55 sq. m of gross floor area;
(d) shopping centre in a C1 District	(i) 1 stall per 45 sq. m of gross floor area;



## Parking Regulations

(e) any of the following developments within a shopping centre: drinking establishment; theatre; cinema; casino; bingo hall or community hall	(i) in addition to any parking requirements under clauses (a) to (d) - 1 stall per 8 seats; (ii) the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw.
(f) multi-tenant buildings in commercial, industrial, and direct control with commercial and industrial purposes districts	(i) 1 stall per 30 sq. m of net floor area <b>(BL38/2011)</b>

- (4) Where a development falls within 2 or more of the categories listed in subsection (2) or (3), it shall comply with all parking regulations applicable to all of the categories.

- (5) Multiple Use Development in a Commercial, Industrial or Direct Control Land Use District **(BL38/2011)**

With the exception of development under subsection (3), parking requirements for each use in a multiple use development in a commercial or industrial district, or a Direct Control District with commercial and industrial uses shall be provided in accordance with the parking space requirements for each individual use forming part of the development. In cases where the land use is not determined, parking will be as net floor area as required under section 7.3(3)(f).

- (6) Other Uses

Where a use is not listed in this section, on-site parking shall be provided as required by the Development Officer.

- (7) Notwithstanding this section, where a parking study is required under Part 3, the Development Officer may determine the number of parking stalls required for a development.

- (8) Parking of Recreation Vehicles or Recreation Equipment

- (a) The parking of recreation vehicles or recreation equipment which do not fall under Section 3.2 may be allowed at the discretion of the Development Officer.
- (b) In considering a development permit under clause (8)(a), the Development Officer shall take into account safety, impact on adjoining sites and other site factors.

## Parking Regulations

- (9) All motor vehicle and recreation vehicle parking spaces in residential districts shall be hard surfaced and accessible by a permanent vehicle access. Parking vehicles either permanently or temporarily on turf, dirt, gravel, lawn, or other non-hard surfaced area is prohibited. For the purpose of this section, hard surfacing means the provision of durable, dust-free material constructed in concrete, asphalt or similar material capable of withstanding expected vehicle loads and maintained to the satisfaction of the Development Officer, in consultation with the Engineering Department.

### 7.4. **On-Site Parking Waiver Mixed Commercial** (BL19/2012)

- (1) Any additional parking requirements necessitated by a change in use of an existing building located within the MC or DT District may be waived by the Development Officer.
- (2) Where an existing building is being enlarged within the MC or DT District, additional parking requirements shall be provided only for that portion of the building being enlarged.
- (3) On-site parking is not required for a building located in an MC or DT District if the building is directly adjacent to the public parking lot located at 6 St. Anne Street.
- (4) Parking requirements for new developments in the DT may be relaxed subject to the limitations and other considerations as outlined in Section 3.14 at the discretion of the Development Officer if the proposed building is located within close proximity of a public parking lot or public parking structure.

### 7.5. **On-Site Loading Requirements**

Loading spaces shall be provided as follows:

Land Use	On-site Loading Requirement
(a) all uses in a commercial or industrial district	(i) 1 loading space per loading door;
(b) funeral home, hospital, long term care housing, supportive housing	(i) in addition to loading requirements under subsection (1), a minimum of 1 loading space for specialty vehicles must be provided unless otherwise required by the Development Officer;
(c) all uses in districts other than a commercial or industrial district	(i) loading spaces as required by the Development Officer.

### 7.6. **Parking for Disabled Persons**

Parking stalls for the disabled must be:

- (a) provided on the basis of 3% of the on-site parking requirements to a maximum of 10 stalls;
- (b) provided in accordance with the Alberta Building Code;

## Parking Regulations

- (c) included as part of and not in addition to, the applicable minimum parking requirement; and
- (d) identified as parking spaces for the disabled through the use of appropriate signage.

### 7.7. **Parking and Loading Regulations**

#### (1) Design and Construction

- (a) A parking lot must be designed, located and constructed such that
  - (i) it can be properly maintained;
  - (ii) it is accessible and appropriate for the nature and frequency of motor vehicles using it;
  - (iii) all required parking and loading facilities must be clearly demarcated, have adequate storm water drainage and storage facilities, and be hard surfaced. Hard surfacing must mean the provision of durable, dust-free material constructed in concrete, asphalt or similar material capable of withstanding expected vehicle loads and maintained to the satisfaction of the Development Officer, in consultation with the Engineering Department;
  - (iv) in parking areas, curbs and other protective measures must be used to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site or an adjacent site; and
  - (v) continuous raised or pre-cast curbing of not less than 100 mm in height must be provided adjacent to streets and required landscape areas, 600 mm from the front of the parking stall.
- (b) If a parking area contains more than 10 stalls, it must be landscaped.

#### (2) Size of Parking Stalls and Drive Aisle

Parking spaces and drive aisles shall meet the following criteria:

- (a) a parking stall must be a minimum of 2.6 m wide and 5.8 m deep;
- (b) a parallel parking stall shall be a minimum of 2.6 m wide and 7.0 m deep;
- (c) a drive aisle on a parking lot must be a minimum of 7.3 m wide;
- (d) required parking stalls for a single-detached or semi-detached units that are provided in a private driveway or garage may be located in tandem; and
- (e) notwithstanding the provisions of clause 7.7(2)(c), the Development Officer may reduce the minimum width of a drive aisle for parking spaces provided at an angle or for one-way drive aisles.

## Parking Regulations

- (3) Small car parking (**BL28/2010**)
  - (a) Small car parking spaces may comprise a maximum of 20% of required parking for all developments except for developments in R1, R2, RX, RXL, and P Land Use Districts. (**BL2/2018**)
  - (b) All small car parking spaces shall be designated with signs reading “small car parking only”.
  - (c) all small car parking stalls shall be a minimum of 2.45 m wide by 5 m deep.
- (4) Loading Spaces

A loading space must

  - (a) be at least 3 m wide and 27.5 sq. m in area; and
  - (b) have overhead clearance of at least 4 m.
- (5) Markings and Barriers
  - (a) The portion or portions of a parking lot used for parking or loading must
    - (i) be marked off or physically divided to delineate clearly each parking stall, loading space or drive aisle; and
    - (ii) have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls or buildings.
  - (b) The markings or divisions required under clause (a) must be regularly maintained to ensure legibility.

### 7.8. **Bicycle Parking**

In a residential, commercial, park and PS District, where any new development including a change of use of existing development, that involves 10 or more dwelling units is undertaken, or where any such existing development is substantially enlarged or increased in capacity, an on-site bicycle parking station shall be provided that is, in the opinion of the Development Officer,

- (a) safe and convenient;
- (b) of a reasonable capacity; and
- (c) compatible with the design of surrounding development.

## Parking Regulations

### 7.9. Off-Site Parking

(1) Off-Site Parking – Commercial or Industrial Land Use Districts

In a commercial or industrial district, the Development Officer may authorize the use of off-site parking in place of on-site parking required under Section 7.3, provided:

- (a) there is a convenient walkway from the off-site parking to the development that is the subject of the development permit application; and
- (b) the owner of the development proposing to use an off-site parking space has control of the site where the parking is proposed and has dedicated the site to parking for the benefit of the development in question.

(2) Off-Site Parking Levy - Mixed Commercial or Downtown Land Use District

In an MC or DT District, the Development Officer (**BL19/2012**)

- (a) may authorize the use of an Off-Site Parking Levy in place of on-site parking required under Section 7.3, except in the case of a residential development; and
- (b) shall determine the percentage of required parking spaces that may be eliminated through the Off-Site Parking Levy.

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## Section 9.13. General Commercial (C2) Land Use District

(1) **Application**

This section applies to the areas designated as General Commercial (C2) on the Land Use District Map, Schedule A, of this Land Use Bylaw.

(2) **Purpose**

The purpose of the General Commercial Land Use District is to provide for the sale of goods and services to the whole community.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) art gallery;
- (b) business support service;
- (c) catering service which uses up to 3 vehicles;
- (d) commercial school;
- (e) convenience store;
- (f) financial institution;
- (g) gas bar;
- (h) general retail store;
- (i) general service;
- (j) government service;
- (k) grocery store;
- (l) health service;
- (m) household repair service;
- (n) parking structure;
- (o) professional office;
- (p) restaurant with up to 50 seats; and
- (q) specialty store.

(4) **Discretionary Land Uses**

The following are discretionary uses:

- (a) amusement arcade;

## Section 9.13. General Commercial (C2) Land Use District

- (b) animal service;
- (c) automotive service;
- (d) automotive specialty;
- ~~(e)~~ broadcast studio;
- ~~(e)~~~~(f)~~ cannabis retail store;
- ~~(f)~~~~(g)~~ car wash;
- ~~(g)~~~~(h)~~ cinema;
- ~~(h)~~~~(i)~~ community hall with a gross floor area up to 745 sq. m;
- ~~(i)~~~~(j)~~ day care facility;
- ~~(j)~~~~(k)~~ drinking establishment;
- ~~(k)~~~~(l)~~ drive-through business for a use listed in subsections (3) and (4);
- ~~(l)~~~~(m)~~ dwelling unit above a commercial use;
- ~~(m)~~~~(n)~~ family day home;
- ~~(n)~~~~(o)~~ funeral home;
- ~~(o)~~~~(p)~~ home occupation;
- ~~(p)~~~~(q)~~ hotel;
- ~~(q)~~~~(r)~~ indoor recreation service;
- ~~(r)~~~~(s)~~ liquor store;
- ~~(s)~~~~(t)~~ pool hall;
- ~~(t)~~~~(u)~~ public utility building;
- ~~(u)~~~~(v)~~ religious assembly;
- ~~(v)~~~~(w)~~ restaurant with over 50 seats;
- ~~(w)~~~~(x)~~ shopping centre;
- ~~(x)~~~~(y)~~ theatre;
- ~~(y)~~~~(z)~~ veterinary clinic;
- ~~(z)~~~~(aa)~~ wall mural; and
- ~~(aa)~~~~(bb)~~ accessory development to any use listed in (3) and (4).



## Section 9.13. General Commercial (C2) Land Use District

### (5) Gross Floor Area

- (a) The total gross floor area, as defined by this Bylaw, may be up to 2 times the area of the site.
- (b) Notwithstanding clause (a), for the purpose of calculating the total gross floor area, 30 sq. m may be added to the site area for every parking stall provided in an underground or enclosed parking structure if the Development Officer considers it appropriate.

### (6) Building Height

The maximum building height is 15 m.

### (7) Building Setbacks

The minimum building setbacks are as follows:

Yard	Minimum Building Setback
(a) Front Yard	(i) 7 m;
(b) Side Yard	(i) 3.5 m adjacent to a non-residential use or district unless 0 m side yard; (ii) 6.5 m adjacent to a residential use or district;
(c) Rear Yard	(i) 3.5 m adjacent to a non-residential use or district; (ii) 6.5 m adjacent to a residential use or district; and

- (d) Parking, loading or outdoor storage areas or garbage containers must not encroach more than 3 m into any required side or rear yard setback.

### (8) Outdoor Lighting

In addition to the requirements under Section 6.16, all on-site surface parking lots and exterior walkways must be illuminated.

## Section 9.13. General Commercial (C2) Land Use District

### Summary Table - C2 District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Gross Floor Area</b>	2 x site area	
	30 sq. m/stall additional floor area if under/above ground parking	
<b>Max. Building Height</b>	15 m	
<b>Min. Front Yard</b>	7 m	
<b>Min. Side Yard</b>	3.5 m if adjacent to non-residential use or district unless 0 m side yard	
	6.5 m if adjacent to residential use/district	
<b>Min. Rear Yard</b>	3.5 m if adjacent to non-residential use/district	
	6.5 m if adjacent to residential use/district	
<b>Parking</b>	business support service, <u>cannabis retail store</u> , liquor store	1 stall/30 sq. m
	catering service, commercial school, convenience store, drive-through restaurant, financial institution, gas bar, general retail store, general service, health service, household repair service, professional office, specialty store, video outlet, automotive service, animal service, automotive specialty, veterinary clinic	1 stall/45 sq. m
	drinking establishment, restaurant, cinema, theatre	1 stall/4 seats
	grocery store	1 stall/20 sq. m
	government service	1 stall/45 sq. m or 1 stall/8 seats
	funeral home	1 stall/5 seats + 1 per funeral home vehicle
	shopping centres < 10,000 sq. m	1 stall/30 sq. m
	shopping centres > 10,000 sq. m	1 stall/25 sq. m
	community hall	1 stall/5 seats or 1 stall/20 sq. m
	hotel	1 stall/guest room or unit
	broadcast studio, public utility building, amusement arcade, car wash, indoor recreation service, pool hall, art gallery, home occupation	as determined by Development Officer

**Section 9.13. General Commercial (C2) Land Use District**

day care facility, family day home	4 stalls or 1 per 2 employees plus 1 stall per 10 patrons, whichever is greater
theatre	1 stall/4 seats
bachelor or 1 bedroom unit	1 stall/unit
2 bedroom unit	1.5 stalls/unit
3 + bedroom unit	2 stalls/unit
residential use visitor parking	1 stall/5 dwelling units

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## Section 9.14. Corridor Commercial (CC) Land Use District

(1) **Application**

This section applies to the areas designated as Corridor Commercial (CC) on the Land Use District Map, Schedule A, of the Land Use Bylaw.

(2) **Purpose**

The purpose of the Corridor Commercial Land Use District is to provide an area along a major arterial roadway for the sale of the widest variety of goods and services to the community and to the surrounding region.

(3) **Permitted Land Uses**

The following are permitted uses: **(BL13/2006)**

- (a) art gallery;
- (b) business support service;
- (c) catering service that uses up to 3 vehicles;
- (d) cinema;
- (e) commercial school;
- (f) convenience store;
- (g) financial institution;
- (h) funeral home;
- (i) gas bar;
- (j) general retail store;
- (k) general service;
- (l) government service;
- (m) grocery store;
- (n) health service;
- (o) household repair service;
- (p) indoor recreation service;
- (q) parking structure;
- (r) professional office;
- (s) restaurant;
- (t) shopping centre;

## Section 9.14. Corridor Commercial (CC) Land Use District

- (u) specialty store;
- (v) take-out restaurant;
- (w) theatre; and
- (x) video outlet.

### (4) **Discretionary Land Uses**

The following are discretionary uses: **(BL13/2006)**

- (a) amusement arcade;
- (b) animal service;
- (c) apartment building;
- (d) auction facility;
- (e) automotive sales and service;
- (f) automotive service;
- (g) automotive specialty;
- (h) bingo hall;
- ~~(i)~~ (i) broadcasting studio;
- ~~(j)~~ (j) cannabis retail store;
- ~~(j)~~ (k) car wash;
- ~~(k)~~ (l) casino;
- ~~(h)~~ (m) community hall with a gross floor area up to 3250 sq. m;
- ~~(m)~~ (n) construction service;
- ~~(n)~~ (o) day care facility;
- ~~(o)~~ (p) drinking establishment;
- ~~(p)~~ (q) drive-through business;
- ~~(q)~~ (r) dwelling unit above a ground floor commercial use;
- ~~(r)~~ (s) equipment rental;
- ~~(s)~~ (t) family day home;
- ~~(t)~~ (u) home occupation;
- ~~(u)~~ (v) hotel;

## Section 9.14. Corridor Commercial (CC) Land Use District

- ~~(v)~~(w) indoor storage facility; (BL2/2017)
- ~~(w)~~(x) liquor store;
- ~~(x)~~(y) outdoor display;
- ~~(y)~~(z) pool hall;
- ~~(z)~~(aa) public utility building;
- ~~(aa)~~(bb) recreation vehicle sales and service;
- ~~(bb)~~(cc) recycling depot;
- ~~(cc)~~(dd) religious assembly;
- ~~(dd)~~(ee) veterinary clinic;
- ~~(ee)~~(ff) wall mural;
- ~~(ff)~~(gg) warehouse store; and
- ~~(gg)~~(hh) accessory development to any use listed in (3) and (4).

### (5) **Gross Floor Area**

- (a) The total gross floor area, as defined in this Bylaw, may be up to 2 times the area of the site.
- (b) Notwithstanding clause (a), for the purpose of calculating the total gross floor area, 30 sq. m may be added to the site area for every parking stall provided in an underground or enclosed parking structure if the Development Officer considers it appropriate.

### (6) **Building Height**

The maximum building height is 15 m.

### (7) **Building Setbacks**

The minimum building setbacks are as follows:

Yard	Minimum Building Setback
(a) Front Yard	(i) 7 m;
(b) Side Yard	(i) 3.5 m adjacent to a non-residential use or district unless 0 m side yard; (ii) 6.5 m adjacent to a residential use or district;
(c) Rear Yard	(i) 0 m adjacent to a non-residential use or district; (ii) 6.5 m adjacent to a residential use or district; and

## Section 9.14. Corridor Commercial (CC) Land Use District

- (d) Parking, loading or outdoor storage areas or garbage containers must not encroach more than 3 m into any required side or rear yard setback and 0 m side yard is not permitted where, in the opinion of the Development Officer, traffic circulation or deliveries would be adversely affected.

### (8) **Residential Use**

There must be a direct access to a public right-of-way or an alternate means of access to the satisfaction of the Development Officer from a building used for residential purposes.

### (9) **Outdoor Lighting**

In addition to Section 6.16, all on-site surface parking lots, exterior walkways, and rear, front and side yards must be illuminated.



## Section 9.14. Corridor Commercial (CC) Land Use District

### Summary Table - CC District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Gross Floor Area</b>	2 x site area  30 sq. m/stall additional floor area for under/above ground parking	
<b>Max. Building Height</b>	15 m	
<b>Min. Front Yard</b>	7 m	
<b>Min. Side Yard</b>	3.5 m if adjacent to non-residential use/district unless 0 m side yard	
	6.5 m if adjacent to residential use/district	
<b>Min. Rear Yard</b>	Not required if adjacent to non-residential use/district	
	6.5 m if adjacent to residential use/district	
<b>Parking</b>	animal service, automotive sales and service, automotive specialty, catering service, commercial school, construction service, convenience store, financial institution, gas bar, general retail store, general service, health service, household repair service, professional office, recreation vehicle sales and service, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m
	business support service, <u>cannabis retail store</u>	1 stall/30 sq. m
	day care facility, family day home	4 stalls or 1 stall/2 employees plus 1 stall/10 patrons, whichever is greater;
	drinking establishment, restaurant	1 stall/4 seats
	grocery store	1 stall/20 sq. m
	hotel	1 stall/room/guest room
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m
	amusement arcade, art gallery, broadcasting studio, drive-through business, home occupation, indoor recreation service, pool hall, public utility building, recycling depot	as determined by Development Officer

## Section 9.14. Corridor Commercial (CC) Land Use District

	equipment rental, indoor storage facility	1 stall for every 3 employees required during the maximum working shift; plus 1 stall per 90 sq. m of gross floor area; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw
	liquor store, <u>cannabis retail store</u>	1 stall/ 30 sq. m
	shopping centre <10,000 sq. m	1 stall/30 sq. m see also Part 7 sec. 7.3.(3)
	shopping centre >10,000 sq. m	1 stall/25 sq. m see also Part 7 sec. 7.3.(3)
	warehouse store	1 stall/3 full-time employees/ max. working shift plus 1 stall/ 50 sq. m
	cinema, theatre	1 stall/4 seats
	casino, bingo hall	1 stall/2.5 seats
	funeral home	1 stall/5 seats + 1/funeral home vehicle
	auction facility, community hall	1 stall/5 seats or 1 stall/20 sq. m
	bachelor or 1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	Residential use visitor parking	1 stall/5 dwelling units

## Section 9.15. Mixed Commercial (MC) Land Use District

(1) **Application**

This section applies to the areas designated as Mixed Commercial (MC) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Mixed Commercial District is to

- (a) maintain generally continuous storefront retail development on the ground floor frontage adjoining the sidewalk, and to restrict those services which are not dependent on walk-in trade to locations away from ground floor frontage; and
- (b) create a street front-oriented area of commercial and mixed commercial and high density residential uses.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) art gallery;
- (b) financial institution;
- (c) general retail store with a gross floor area up to 400 sq. m;
- (d) general service;
- (e) government service;
- (f) health service;
- (g) restaurant; and
- (h) specialty store.

(4) **Permitted Land Uses - Away from Ground Floor Frontage**

The following are permitted uses that must be located above ground floor frontage:

- (a) apartment building;
- (b) business support service;
- (c) commercial school;
- (d) dwelling unit;
- (e) family day home; and
- (f) home occupation.

## Section 9.15. Mixed Commercial (MC) Land Use District

### (5) Discretionary Land Uses

The following are discretionary uses:

- (a) artist studio; (BL14/2008)
- ~~(a)~~(b) cannabis retail store;
- ~~(b)~~(c) cinema;
- ~~(c)~~(d) community hall;
- ~~(d)~~(e) convenience store;
- ~~(e)~~(f) drinking establishment;
- ~~(f)~~(g) general retail store with a gross floor area over 400 sq. m;
- ~~(g)~~(h) hotel;
- ~~(h)~~(i) household repair service;
- ~~(i)~~(j) liquor store;
- ~~(j)~~(k) live/work unit; (BL14/2008)
- ~~(k)~~(l) parking lot at finished grade;
- ~~(l)~~(m) pool hall;
- ~~(m)~~(n) professional office;
- ~~(n)~~(o) shopping centre;
- ~~(o)~~(p) take-out restaurant;
- ~~(p)~~(q) theatre;
- ~~(q)~~(r) veterinary clinics without outdoor kennels, pens, runs, or other similar enclosures;
- ~~(r)~~(s) video outlet;
- ~~(s)~~(t) wall mural; and
- ~~(t)~~(u) accessory developments to any use listed in (4) to (6).

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### (6) Discretionary Land Uses - Away from Ground Floor Frontage

The following are discretionary uses that may be approved if located away from ground floor frontage:

- (a) day care facility;
- (b) indoor recreation service;

## Section 9.15. Mixed Commercial (MC) Land Use District

- (c) parking structure; and
- (d) pool hall.

### (7) **Views and Vistas**

The views and vistas in the downtown shall be protected in accordance with Figure 13 .

### (8) **Floor Area and Building Height**

The maximum for the gross floor area and building height shall be permitted in accordance with Figure 14 and as follows:

Area	Land Use	Maximum Gross Floor Area	Maximum Building Height
A	(i) Commercial	1.5 x site area	6.5 m
	(ii) Mixed Commercial/Residential	1.9 x site area	6.5 m
	(iii) Commercial Component within (ii)	1.5 x site area	6.5 m
B	(i) Commercial	1.5 x site area	6.5 m
	(ii) Mixed Commercial/Residential	3 x site area	12 m
	(iii) Commercial Component within (ii)	2 x site area	12 m
C	(i) Commercial	3 x site area	20 m
	(ii) Mixed Commercial/Residential	4 x site area	20 m
	(iii) Commercial Component within (ii)	3 x site area	20 m

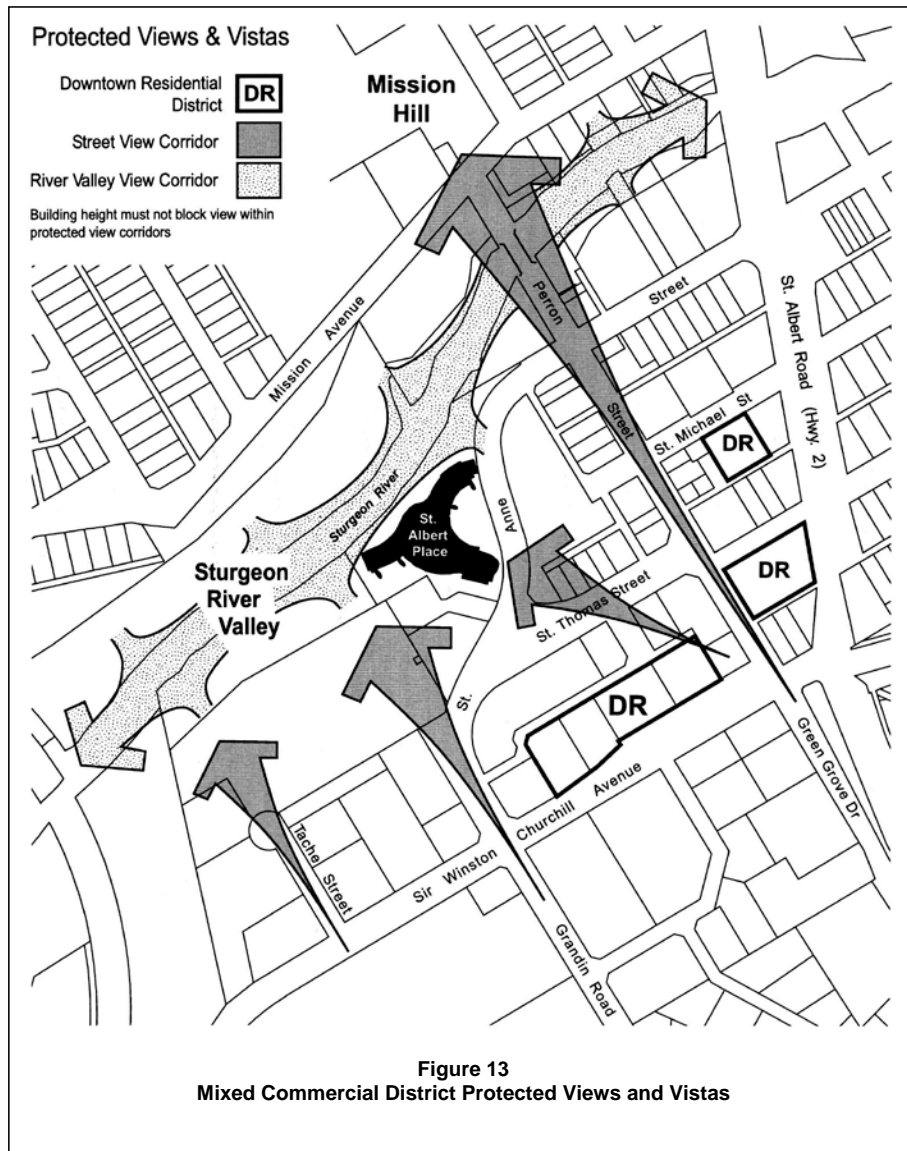
### (9) **Height Bonus**

The maximum building height allowed under subsection (8) may be increased up to 30% if, in the opinion of the Development Officer,

- (a) the increased height does not conflict with protected views and vistas under Figure 13; and
- (b) a development employs one or more of the following design elements:
  - (i) superior or innovative building style;
  - (ii) atrium building design which maximizes the street-orientation of interior ground floor commercial space;
  - (iii) internal or external walkway connections, within the development and between adjacent developments, which enhance the pedestrian amenity of the development and the downtown overall;
  - (iv) high quality materials on the exterior;
  - (v) high quality facade treatment along a wall that adjoins or faces open space, or views and vistas under Figure 13;
  - (vi) a stepback is provided for the second or higher storey along a facade facing a public roadway, right-of-way, P, PS or IF districts along views or vistas under Figure 13;
  - (vii) terracing of upper storey; or

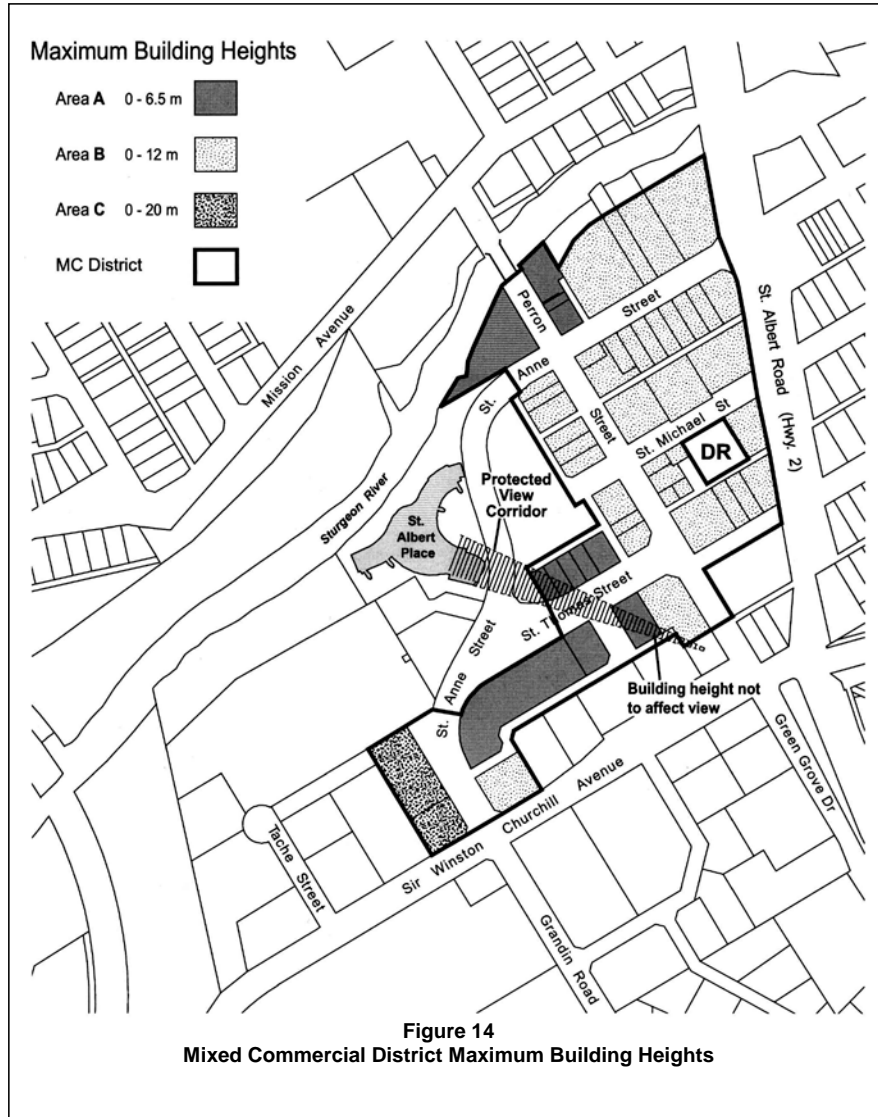
## Section 9.15. Mixed Commercial (MC) Land Use District

(viii) high quality landscaping of setbacks, boulevards and on-site



surface parking lots.

Section 9.15. Mixed Commercial (MC) Land Use District



## Section 9.15. Mixed Commercial (MC) Land Use District

### (10) **Building Setbacks**

Building setbacks shall be provided as follows:

- (a) the first and second storey of all buildings must be developed to the front and side property lines except:
  - (i) a minor setback of a recessed entrance, rest area, courtyard, shopping court, outdoor cafe, building recess, recessed arcade, or similar amenity may be allowed where, in the opinion of the Development Officer:
    - (A) the design of the building frontage maintains the continuity of the street frontage with adjoining developments, and
    - (B) pedestrian amenity is maintained;
- (b) a corner lot must comply with the corner lot traffic sight line requirements under Section 6.6 of this Bylaw;
- (c) a front or side building stepback beginning at the second storey is allowed for the residential part of a development;
- (d) a pedestrian walkway or vehicle access lane in a side yard may be allowed at the discretion of the Development Officer subject to the following criteria:
  - (i) the continuity of the streetscape must be maintained where the walkway or lane adjoins the public right-of-way through an extension of the building facade, landscaped areas, or both; and
  - (ii) the side of the building adjoining the walkway or lane must have a window in the first and second storey which provides a view of the entire walkway or lane;
- (e) a development site which adjoins a residential use or district must provide a minimum side yard building setback of 1.5 m;
- (f) the need and requirement for a rear yard building setback is subject to the discretion of the Development Officer taking into account adjacent uses and on-site conditions; and
- (g) where a site is adjacent to the St. Albert Road right-of-way:
  - (i) the minimum building setback from the St. Albert Road is 6 m, and
  - (ii) any on-site surface parking may encroach a maximum of 3 m into the setback required under (i).



## Section 9.15. Mixed Commercial (MC) Land Use District

### (11) Design, Character and Appearance of Building

In addition to the requirements under Section 6.7 of this Bylaw, the exterior of buildings must be finished in accordance with the following:

- (a) at least 75% of the non-glazed area of the first and second storey of a façade that faces a public roadway, residential district, P, PS or IF district must be finished in brick, brick veneer or other high quality finish of a colour acceptable to the Development Officer; and
- (b) at least 75% of the non-glazed area of an exposed side façade must be finished in brick or brick veneer or other high quality finish identical to the façade identified in clause (a) if required by the Development Officer.

### (12) Design of Public Entrances

All developments must have a primary public entrance adjoining a public sidewalk and recessed as follows:

- (a) for an interior lot, the width of the recessed area as measured along the property line must be a minimum of 2 m, and the depth must be a minimum of 1 m measured from the principal building façade to the nearest property line.
- (b) a recessed entrance is not required where a corner setback, building recess or recessed arcade, or similar element satisfies the dimensions specified in subsection (10).

### (13) Residential Development

Residential development must:

- (a) be designed to differentiate individual dwelling units along the building façade; and
- (b) provide one of the following forms of private amenity areas:
  - (i) a balcony;
  - (ii) a patio;
  - (iii) a partial-balcony system comprised of an exterior railing around a doorway; or
  - (iv) a recessed-balcony or sun-room enclosed with exterior windows.

### (14) Overhead Weather Protection

- (a) Developments must provide continuous overhead weather protection for pedestrians for the entire building frontage adjoining a public sidewalk in the following form:
  - (i) a continuous awning or canopy;
  - (ii) a continuous building recess or arcade; or

## Section 9.15. Mixed Commercial (MC) Land Use District

- (iii) a combination of the above,  
unless otherwise determined by the Development Officer.
- (b) All pedestrian overhead weather protection must comply with the following:
  - (i) if awnings and canopies or their supporting structures encroach on City property, a written encroachment agreement is required;
  - (ii) awnings must be constructed of durable, colourfast material which minimizes the effects of dirt and discolouration (such as striped, patterned, dark-coloured and plasticized fabric);
  - (iii) if glazing is incorporated into a canopy, it must be safety-glass, or fire-resistant and ultra-violet resistant plastic;
  - (iv) awnings and canopies may be illuminated;
  - (v) if the frontage occurs on an inclined grade, the design of awnings, canopies, building recesses, or recessed arcades must be stepped or inclined to follow the incline to minimize differences in finished grades between the public sidewalk and the development; and
  - (vi) the design of awnings, canopies, building recesses, and recessed arcades must provide continuity and harmony between adjoining developments with respect to materials, colour and pitch.
- (c) An awning or canopy must:
  - (i) project a minimum of 2.5 m over the sidewalk;
  - (ii) maintain a minimum setback of 0.6 m from the outside edge of the curb line;
  - (iii) have a vertical clearance of at least 2.5 m and at most 4 m above the sidewalk; and
  - (iv) have a sloping profile, or be designed so as to provide effective shedding of rain, self-cleaning by rain and wind, and to minimize snow-loading.
- (d) A building recess or recessed arcade must:
  - (i) be a minimum of 2.5 m wide, in the case of a recessed arcade the width of the recess is measured from the inside face of the supporting columns or arches to the ground floor façade;
  - (ii) have a vertical clearance of at least 2.5 m and at most 3.5 m above the sidewalk;
  - (iii) be finished in the same materials as the first storey of the façade; and
  - (iv) have pedestrian-scale, glare-free lighting in the overhang portion.

## Section 9.15. Mixed Commercial (MC) Land Use District

### (15) Architectural Requirements

Developments must:

- (a) respect the existing on-site topography;
- (b) provide windows on each floor of a facade which faces a public roadway or a P, PS or an IF district;
- (c) enclose rooftop mechanical equipment on all sides;
- (d) use a high quality building finish such as brick, stone, marble or tile;
- (e) provide barrier-free access to public areas; and
- (f) provide a window on any side of a building that adjoins an on-site parking lot or walkway sufficient to view the entire area.

### (16) Additional Architectural Requirements

The Development Officer may require any or all of the following:

- (a) the building facade be divided into horizontal modules up to 15 m wide;
- (b) windows have proportions of 2:3 (width:height) or narrower;
- (c) multiple-paned windows be used;
- (d) window frame members of substantial depth be used; and
- (e) at least 45% and at most 70%, of the total building facade facing a public roadway, P, PS or IF district be glazed.

### (17) Landscaping

In addition to the requirements of Section 6.13:

- (a) walls and fencing must be constructed of
  - (i) wrought iron for fences;
  - (ii) brick or brick veneer for walls; or
  - (iii) a combination of brick or brick veneer base wall and wrought iron fencing;
- (b) an on-site surface parking lot with more than 4 stalls that faces a public sidewalk or P, PS or IF district must provide 1 landscaped island for every 4 parking stalls; and
- (c) the landscaping of all sides of a development must coordinate functionally and aesthetically with the municipal streetscape improvements.

## Section 9.15. Mixed Commercial (MC) Land Use District

### (18) Parking and Loading

In addition to the parking and loading requirements under Part 7:

- (a) on-site surface parking and loading for any site adjoining a rear lane must be located in the rear yard; and
- (b) an on-site surface parking lot facing a public roadway, public open space or a P, PS or an IF district must be screened by a brick wall which is similar in material and design to the principal building, and be landscaped in the adjoining boulevard to municipal standards. If a surface parking lot is proposed as the principal use under subsection (5), the brick wall shall complement the material and design of adjacent buildings to the satisfaction of the Development Officer.

### (19) Outdoor Lighting

In addition to the requirements under Section 6.16:

- (a) exterior lighting fixtures facing public open space must be similar in quality and design to the downtown municipal streetscape improvements; and
- (b) all surface parking lots, exterior walkways, and rear, front and side areas must be illuminated.

## Section 9.15. Mixed Commercial (MC) Land Use District

### Summary Table - MC District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

Floor Area & Building Height		Max. Floor Area	Max. Floor Area Commercial Part	Max. Building Height
	Area A.	Commercial	1.5 X site	6.5 m
		Commercial/Res. Mix	1.9 X site	6.5 m
	Area B.	Commercial	1.5 X site	6.5 m
		Commercial/Res. Mix	3 X site	12 m
	Area C.	Commercial	3 X site	20 m
		Commercial/Res. Mix	4 X site	3 X site
Height Bonus		up to 30% (see text)		
Building Setbacks		First & second storey must be built to front and side property lines, subject to exceptions (see text) 1.5 m min. side yard where adjoining a residential use/district		
Min. Rear Yard		subject to discretion of Development Officer		
Other setback		6 m min. from St. Albert Road		
Overhead Weather Protection	Awnings	Canopies	Building Recess	
	min. 2.5 m projection over sidewalk		min. 2.5 m measured from inside support column/arch to facade	
	min. 0.6 m setback from curb face			
	min. 2.5 m vertical clearance		min. 2.5 m vertical clearance	
	max. 4 m vertical clearance		max. 3.5 m vertical clearance	
		Overhead weather protection subject to other conditions - (see text)		

## Section 9.15. Mixed Commercial (MC) Land Use District

Parking	cannabis retail store, financial institution, general retail store, general service, health service, liquor store, specialty store, business support service, commercial school, professional office, veterinary clinic, convenience store, video outlet, household repair service, take-out restaurant	1 stall/45 sq. m
	drinking establishment, restaurant	1 stall/6 seats
	government service	1 stall/45 sq. m or 1 stall/8 seats
	home occupation, public utility building, Indoor recreation service, art gallery, pool hall	as determined by Development Officer
	theatre, cinema	1 stall/10 seats
	shopping centre	1 stall/55 sq. m
	community hall	1 stall/5 seats or 1 stall/20 sq. m
	family day home, day care facility	4 stalls; or 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater
	bachelor unit	1 stall/unit
	1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling units
	hotel	1 stall/guest room

## Section 9.16. Boardwalk (BW) Land Use District

(1) **Application**

This section applies to the areas designated as Boardwalk (BW) on the Land Use District Map, Schedule A, of this Bylaw.

(2) **Purpose**

The purpose of the Boardwalk District is to ensure the orderly transition of the district into a unique small-scale development area integrated with the Mission neighbourhood, the Red Willow Park setting, the Downtown and surrounding development.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) drinking establishment with up to 40 seats;
- (b) general retail store with a gross floor area up to 60 sq. m;
- (c) general service with a gross floor area up to 60 sq. m;
- (d) health service;
- (e) liquor store with a gross floor area up to 280 sq. m;
- (f) restaurant with up to 40 seats;
- (g) specialty store; and
- (h) take-out restaurant.

(4) **Discretionary Land Uses**

The following are discretionary uses:

- (a) art gallery;
- (b) artist studio; **(BL14/2008)**
- (c) cannabis retail store with a gross floor area over 280 sq. m;**
- ~~(de)~~ convenience store with a gross floor area up to 80 sq. m;
- ~~(ee)~~ drinking establishment with over 40 seats;
- ~~(fe)~~ dwelling unit above the ground floor only, in conjunction with new commercial development where the commercial use is the main use in the development;
- ~~(gf)~~ family day home;
- ~~(hg)~~ general retail store with a gross floor area over 60 sq. m;
- ~~(ih)~~ home occupation;
- ~~(ji)~~ hotel;

## Section 9.16. Boardwalk (BW) Land Use District

- (~~kj~~) liquor store with a gross floor area over 280 sq. m;
- (~~lk~~) live/work unit; (**BL14/2008**)
- (~~m~~) professional office;
- (~~nm~~) public utility building;
- (~~op~~) shopping centre with a gross floor area up to 540 sq. m;
- (~~pe~~) wall mural; and
- (~~qp~~) accessory development to any use listed in (3) or (4).

### (5) **Floor Area**

The maximum gross floor area:

- (a) for a commercial use is 0.6 times the site area; and
- (b) for a mixed commercial/residential development
  - (i) is 1 times the site area, within which the total gross floor area of the commercial component is 0.4 times the site area; and
  - (ii) notwithstanding clause (b)(i), the total gross floor area may be increased to 1.5 times the site area if additional amenities are provided in the form of
    - (A) public access to the river from the boardwalk deck; or
    - (B) an on-site outdoor space adjoining the boardwalk at least 4 m in depth and 10 m in width.

### (6) **Building Height**

The maximum building height is 10 m, unless a 8:12 or greater roof pitch is provided in which case the maximum building height may be increased to 12 m at the discretion of the Development Officer.

### (7) **Building Setback**

The minimum building setback is:

- (a) 4 m for the front yard;
- (b) 2 m for the side yard unless 0 m side yard;
- (c) 0 m for the rear yard setback; and
- (d) notwithstanding clauses (a) and (b), architectural projections may have a front yard setback of 3.0 m and a side yard setback of 1.2 m, provided that the architectural projection is designed to be an integral part of the overall design of the development.



## Section 9.16. Boardwalk (BW) Land Use District

### (8) **Architectural Requirements**

Developments must:

- (a) provide windows on each floor of a facade which faces a public roadway, excluding a lane, or public open space;
- (b) enclose rooftop mechanical equipment on all sides;
- (c) use high quality exterior building materials and a high quality finish;
- (d) provide barrier-free access to public areas; and
- (e) provide a window on any side of a building that adjoins an on-site parking lot or walkway sufficient to view the area.

### (9) **Additional Architectural Requirements**

The Development Officer may require a development to incorporate some or all of the design elements of the historical character houses in the Mission neighbourhood, and the architecture of the Vital Grandin Centre as identified in Figure 15, as follows:

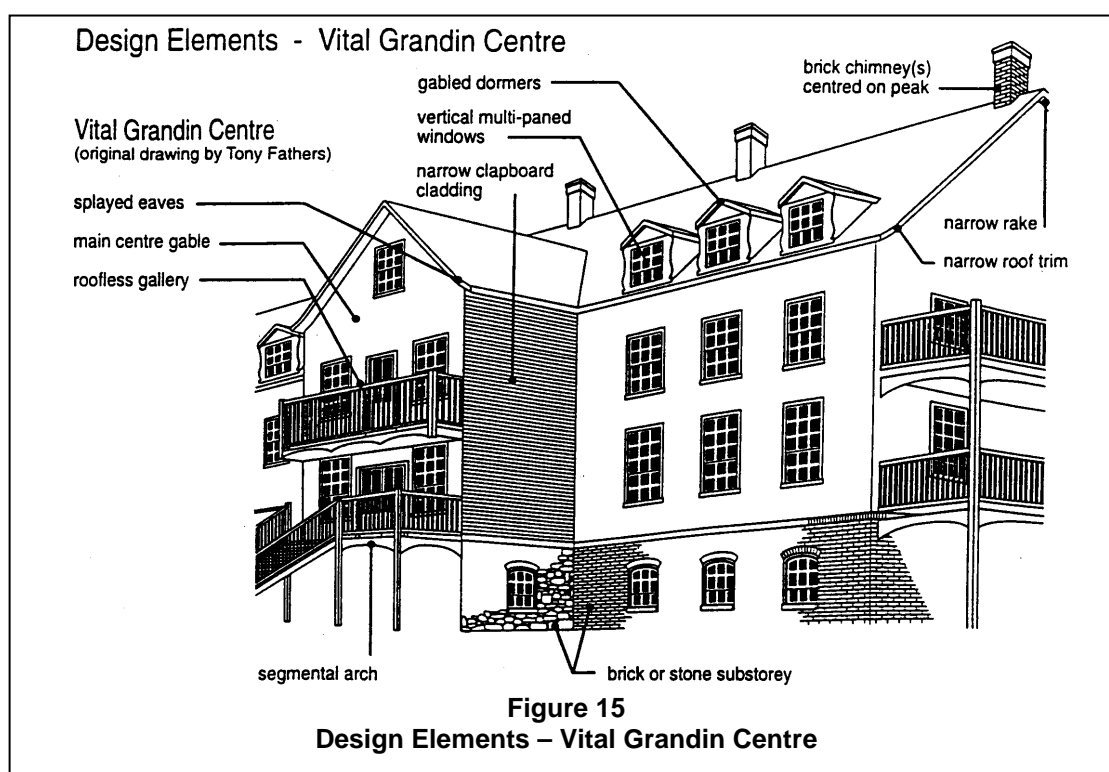
- (a) roof pitch of 8:12 or greater;
- (b) narrow width siding;
- (c) light pastel siding colours;
- (d) splayed or projecting eaves;
- (e) narrow roof trim;
- (f) narrow rake;
- (g) gabled dormer windows;
- (h) vertical-oriented multi-paned windows;
- (i) window frame members which accentuate window depth;
- (j) vertical-oriented bay windows in either 3 or 5 panels;
- (k) brick chimney;
- (l) brick or stone substorey or base;
- (m) the dark brown or red colours for brick and stone;
- (n) the slate or brown colour for roofs; and
- (o) extensive architectural detailing that emphasizes individual building elements such as windows, doors, recessed entrances, sign bands,

## Section 9.16. Boardwalk (BW) Land Use District

cornice lines, roof lines, building corners and horizontal or vertical accent lines.

### (10) Landscaping

- (a) In addition to the requirements under Section 6.13, existing on-site trees must be incorporated into the development taking into account site constraints and the overall topography and boardwalk deck design; and
- (b) Notwithstanding Section 6.13, at the time of planting, all deciduous trees must have a minimum caliper width of 80 mm, and all coniferous trees must have a minimum height of 3 m.



### (11) Parking and Loading

In addition to the parking and loading requirements in Part 7, on-site parking must:

- (a) be located in the front of the development;
- (b) provide a minimum 1.5 m wide island between every 4 parking stalls landscaped to the satisfaction of the Development Officer; and
- (c) be screened by a wall or fence which is similar in material and design to the principal building.

## Section 9.16. Boardwalk (BW) Land Use District

### (12) Outdoor Lighting

In addition to the requirements under Section 6.16:

- (a) the design or style of outdoor lighting fixtures for the illumination of the building or site adjoining a public sidewalk, the public boardwalk deck or facing a P or PS district must be coordinated with City streetscape and Red Willow Park lighting fixtures;
- (b) all outdoor lighting for the illumination of the site or building must be direct lighting (such as cut-off luminaires or spotlights); and
- (c) all on-site surface parking lots, pedestrian walkways, and rear, front and side areas must be illuminated.

## Section 9.16. Boardwalk (BW) Land Use District

### Summary Table - BW District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

Max. Floor Area	Commercial	Commercial/Residential Mix
	0.6 x site area	1 x site area max. 0.4 x site area for commercial may be increased to 1.5 x site area (See text)
<b>Max. Building Height</b>	10m 12m (8:12 roof pitch at Development Officer discretion)	
<b>Min. Front Yard</b>	4 m	
<b>Min. Side Yard</b>	2 m unless 0 m	
<b>Min. Rear Yard</b>	not required	
<b>Parking</b>	cannabis retail store, general retail store, general service, health service, specialty store, take-out restaurant, convenience store, professional office, liquor store	1 stall/45 sq. m
	drinking establishment, restaurant	1 stall/6 seats
	shopping centre	1 stall/55 sq. m
	family day home	4 stalls or 1 stall/2 employees plus 1 stall/10 patrons, whichever is greater
	home occupation, public utility building, art gallery	As determined by Development Officer
	hotel	1 stall/guest room
	bachelor unit/1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling
<b>Note</b>	All parking to be located in front yard	

## Section 9.17. Commercial and Industrial Service (CIS) Land Use District

(1) **Application**

This section applies to the areas designated as Commercial and Industrial Service (CIS) on the Land Use District Map, Schedule A of this Bylaw.

(2) **Purpose**

The purpose of the Commercial and Industrial Service District is to provide an area for light industrial and commercial service uses.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) automotive body and paint service;
- (b) automotive sales and service;
- (c) automotive service;
- (d) automotive specialty;
- (e) business support service;
- (f) car wash;
- (g) commercial school;
- (h) construction service;
- (i) financial institution, including a drive-through;
- (j) gas bar;
- (k) general service;
- (l) government service;
- (m) household repair service;
- (n) indoor storage facility; **(BL2/2017)**
- (o) light industrial;
- (p) mini-storage;
- (q) professional office;
- (r) public utility building;
- (s) transmitting station;
- (t) veterinary clinic;
- (u) warehouse; and
- (v) warehouse store.

## Section 9.17. Commercial and Industrial Service (CIS) Land Use District

### (4) Discretionary Land Uses

The following are discretionary uses:

- (a) adult entertainment;
- (b) animal service;
- (c) auction facility;
- ~~(d)~~ bingo hall;
- ~~(e)~~ cannabis production and distribution facility (CPDF);
- ~~(d)~~~~(f)~~ cannabis retail store;
- ~~(e)~~~~(g)~~ casino;
- ~~(f)~~~~(h)~~ catering service;
- ~~(g)~~~~(i)~~ chemical processing;
- ~~(h)~~~~(j)~~ community hall with a gross floor area up to 745 sq. m;
- ~~(i)~~~~(k)~~ convenience store;
- ~~(j)~~~~(l)~~ drinking establishment;
- ~~(k)~~~~(m)~~ drive-through business; **(BL25/2007)**
- ~~(l)~~~~(n)~~ equipment rental;
- ~~(m)~~~~(o)~~ farm equipment sales and services; **(BL12/2012)**
- ~~(n)~~~~(p)~~ fleet service;
- ~~(o)~~~~(q)~~ funeral home; **(BL12/2012)**
- ~~(p)~~~~(r)~~ general industrial; **(BL12/2012)**
- ~~(q)~~~~(s)~~ general retail store;
- ~~(r)~~~~(t)~~ greenhouse and plant nursery;
- ~~(s)~~~~(u)~~ grocery store; **(BL12/2012)**
- ~~(t)~~~~(v)~~ health service;
- ~~(u)~~~~(w)~~ hotel; **(BL25/2007)**
- ~~(v)~~~~(x)~~ indoor recreation service;
- ~~(w)~~~~(y)~~ industrial, heavy vehicle and equipment sales and services; **(BL12/2012)**
- ~~(x)~~~~(z)~~ liquor store;

## Section 9.17. Commercial and Industrial Service (CIS) Land Use District

~~medium industrial; (BL12/2012)~~

~~(y) — medical marihuana production facility (MMHF); (BL22/2014)~~

~~(z)(aa)~~ outdoor recreation service;

~~(aa)(bb)~~ outdoor storage;

~~(bb)(cc)~~ parking lot; **(BL12/2012)**

~~(cc)(dd)~~ recreation vehicle sales and service;

~~(dd)(ee)~~ recycling depot;

~~(ee)(ff)~~ research and development business;

~~(ff)(gg)~~ research laboratory;

~~(gg)(hh)~~ restaurant;

~~(hh)(ii)~~ take-out restaurant;

~~(ii)(jj)~~ wall mural; and

~~(jj)(kk)~~ accessory developments to any use listed in (3) or (4).

### (5) **Performance Standards**

- (a) No primary or accessory use shall be so conducted as to cause the discharge of any harmful waste materials
  - (i) into or upon the ground;
  - (ii) into or within any sanitary or storm sewer system;
  - (iii) into or within any water system or water body; or
  - (iv) into the atmosphere.
- (b) No use or activity shall be conducted or permitted that is dangerous
  - (i) to persons or property by reason of the creation of a fire, explosion, or other physical hazard; or
  - (ii) by reason of air pollution, odor, smoke, noise, vibration, radiation or fumes.

### (6) **Lot Area**

The minimum lot area is 1000 sq. m.

### (7) **Building Height**

The maximum building height is 15 m.

## Section 9.17. Commercial and Industrial Service (CIS) Land Use District

### (8) **Building Setbacks**

The minimum building setbacks shall be provided as follows:

- (a) the minimum front yard building setback is 6 m;
- (b) an interior lot serviced by a rear lane does not require a side yard building setback;
- (c) an interior lot not serviced by a rear lane requires a minimum side yard building setback of 5 m on one side of the lot to provide vehicle access to the rear of the lot;
- (d) a corner lot must provide a minimum side yard building setback of 4.5 m on the side of the lot flanking the public roadway; and
- (e) the minimum rear yard building setback is 3.5 m, except where a lot is serviced by a rear lane in which case it is 6 m.

### (9) **Design, Character and Appearance of Buildings**

In addition to the requirements in Section 6.7, all buildings must be finished in brick, concrete block or commercial-grade cladding of a high-quality appearance.



## Section 9.17. Commercial and Industrial Service (CIS) Land Use District

### Summary Table - CIS District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

	With Rear Lane		Without Rear Lane	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
<b>Min. Lot Area</b>	1000 sq. m	1000 sq. m	1000 sq. m	1000 sq. m
<b>Min. Front Yard</b>	6 m	6 m	6 m	6 m
<b>Min. Side Yard</b>	not required	Flanking public road 4.5 m	One side 5 m	Flanking public road 4.5 m
<b>Min. Rear Yard</b>	6 m	6 m	3.5 m	3.5 m
<b>Max. Building Height</b>	15m			
<b>Parking</b>	auction facility, community hall		1 stall/5 seats or 1 stall/20 sq. m	
	animal service, automotive body & paint service, automotive sales & service, automotive service, automotive specialty, commercial school, construction service, financial institution, general service, household repair service, professional office, veterinary clinic, catering service, convenience store, general retail store, health service, recreation vehicle sales & service, take-out restaurant, gas bar		1 stall/45 sq. m	
	business support service, <u>cannabis retail store</u> , liquor store, multi-use tenant building		1 stall/30 sq. m	
	adult entertainment, car wash, chemical processing, drive-through business, farm & equipment sales & services, fleet service, greenhouse & plant nursery, indoor recreation service, industrial, heavy vehicle & equipment sales and services; public utility building, outdoor recreation service, recycling depot, transmitting station		as required by Development Officer	
	government service		1 stall/8 seats or 1 stall/45 sq. m	
	general industrial, light industrial, research & development business, research & development laboratory		1 stall/3 employees/max. working shift (min. 5 stalls)	
	<u>cannabis production and distribution facility</u> , equipment rental, <del>medical marijuana production facility</del> , mini-storage, warehouse, outdoor storage, indoor storage facility		1 stall/3 employees/max. working shift plus 1 stall/90 sq. m; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw.	
	restaurant, drinking establishment		1 stall/4 seats	

**Section 9.17. Commercial and Industrial Service (CIS) Land Use District**

	warehouse store	1 stall/3 full-time employees/ max. working shift plus 1 stall/50 sq. m
	bingo hall, casino	1 stall/2.5 seats
	hotel	1 stall/guest room
	grocery store	1 stall /20 sq. m of gross floor area
	funeral home	1 stall/5 seats plus 1 stall /funeral home vehicle

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## Section 9.18. Business Park (BP) Land Use District

(1) **Application**

This section applies to the areas designated as Business Park (BP) on the Land Use District Map, Schedule A of this Bylaw.

(2) **Purpose**

The purpose of the Business Park (BP) District is to provide an aesthetically attractive working environment exclusively for and conducive to the development and protection of offices, research and development institutions, and certain specialized light manufacturing establishments. The essential purpose of this District is to achieve development in a park-like setting that is an economic asset to the owners, neighbours, and the community. This district encourages attractively designed buildings, provides for an abundance of landscaping, and establishes land uses that do not create air, ground, noise, and water pollution.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) business support service; **(BL12/2007)**
- (b) commercial school;
- (c) government service;
- (d) health service; **(BL30/2010)**
- (e) indoor storage facility; **(BL2/2017)**
- (f) light industrial;
- (g) professional office;
- (h) public utility building;
- (i) research and development business; and
- (j) research laboratory.

(4) **Discretionary Land Uses**

The following are discretionary uses that may be approved if the use will serve or support permitted uses in the BP district: **(BL12/2007)**

- (a) community hall with a gross floor area up to 745 sq. m;
- (b) construction service; **(BL12/2007)**
- (c) convenience store;
- (d) financial institution, including a drive-through;
- (e) general service;
- (f) indoor recreation service;
- ~~(g) medical marijuana production facility (MMHF); **(BL22/2014)**~~

## Section 9.18. Business Park (BP) Land Use District

- (gh) outdoor storage;
- (hi) restaurant up to 50 seats;
- (ij) take-out restaurant;
- (jk) transmitting station;
- (kl) wall mural;
- (lm) warehouse, provided that the warehouse activity is incidental to the primary use of the building and storage activities comprise less than 50% of the gross floor area. This section, other than warehouse use, does not apply to multi-tenant office/warehouses; and (BL12/2007)
- (ma) accessory developments to any use listed in (3) or (4).

### (5) Performance Standards

- (a) No primary or accessory use shall be so conducted as to cause the discharge of any harmful waste materials
  - (i) into or upon the ground;
  - (ii) into or within any sanitary or storm sewer system;
  - (iii) into or within any water system or water body; or
  - (iv) into the atmosphere.
- (b) No use or activity shall be conducted or permitted that is dangerous
  - (i) to persons or property by reason of the creation of a fire, explosion, or other physical hazard; or
  - (ii) by reason of air pollution, odour, smoke, noise, vibration, radiation or fumes.

### (6) Lot Area

The minimum lot area is 1000 sq. m.

### (7) Building Height

The maximum building height is 15 m.

### (8) Building Setbacks

The minimum building setbacks shall be provided as follows:

- (a) the minimum front yard building setback is 6 m;
- (b) an interior lot serviced by a rear lane does not require a side yard building setback;

## Section 9.18. Business Park (BP) Land Use District

- (c) an interior lot not serviced by a rear lane requires a minimum side yard building setback of 5 m on one side of the lot to provide vehicle access to the rear of the lot;
- (d) a corner lot must provide a minimum side yard building setback of 4.5 m on the side of the lot flanking the public roadway; and
- (e) the minimum rear yard building setback is 3.5 m, except where a lot is serviced by a rear lane in which case it is 6 m.

### (9) **Design, Character and Appearance of Buildings**

In addition to the requirements in Section 6.7, all buildings must be finished as follows to the satisfaction of the Development Officer:

- (a) Building materials shall be appropriate for the use and for the type of structure in which they are used including;
  - (i) materials used for building exterior shall be concrete, exposed aggregate concrete, stucco, glass, brick, natural stone, wood, or metal; and
  - (ii) corrugated metal and similar materials are discouraged for use on building facades or roofs and shall not be used for facades visible from public rights-of-way.
- (b) All exterior surfaces shall have a finished treatment.
- (c) The use of two or more colours is required to enhance the building exterior and to create design accents. Building and architectural details (including flashing and downspouts) shall have a colour that complements or accents the main building.
- (d) Large expanses of uninterrupted wall planes are prohibited where visible from a street or from the boundaries of the Business Park district.
  - (i) The use of fascias, canopies and other multi-dimensional exterior features is encouraged in order to break up large, uniform wall surfaces;
  - (ii) Multi-dimensional features shall be in proportion to the wall heights and building mass.
- (e) Trailers, mobile offices, and other temporary structures shall not be allowed except for use during construction.

### (10) **Parking and Loading Areas**

In addition to the parking and loading requirements under Part 7, parking and loading areas must conform to the following requirements:

- (a) all loading docks shall be located on the interior of the site or shall be screened from the public right-of-way, residential districts and residential uses by means of a sight-obscuring screen to the satisfaction of the Development Officer;

## Section 9.18. Business Park (BP) Land Use District

- (b) parking areas shall be screened by a sight-obscuring screen on each side that is adjacent to a residential use or district and between a parking area and a public street as follows:
  - (i) screening along interior property lines shall be 1 m in height and screening along public rights-of-way shall be 1 m in height; and
  - (ii) plantings shall be coniferous and must be planted at appropriate intervals to establish a solid hedge upon maturity.
- (c) Parking facilities shall be used for temporary automobile parking only.

### (11) **Garbage and Recycling Storage**

In addition to the requirements of Section 6.11, freestanding enclosures and screening for storage bays shall be comprised of solid fencing or walls that match or complement the materials of the principal building.

### (12) **Outdoor Storage**

Limited outdoor storage areas are allowed, subject to the following restrictions and requirements:

- (a) outdoor storage may occupy an area equal to or less than 50% of the floor area of the ground floor of the building(s) on the same premises or equal to or less than 25% of the total site area, whichever is less;
- (b) outdoor storage areas shall be located behind the building, to the rear of the site and not adjacent to front property lines;
- (c) outdoor storage areas shall be screened with a sight-obscuring screen at least 2 m in height;
- (d) equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and shall be no higher than the height of the sight-obscuring screen;
- (e) outdoor storage areas shall not be used to store waste or recycle materials; and
- (f) outdoor storage areas shall not be used to satisfy on-site parking area requirements.

### (13) **Multi-tenant Office/Warehouse** (BL12/2007)

Occupants of multi-tenant office/warehouse space of less than 929 sq. m total space will be required to have a minimum of 20 percent (20%) of the gross floor area developed as an office, showroom, laboratory or research area. Occupants of more than 929 sq. m total space will be required to develop a minimum 10 percent (10%) of the gross floor area into an office, showroom, laboratory or research area. For purposes of this section, "multi-tenant" means three or more units separated by partition walls that separate one tenant's space from another or from the building's common area such as a public corridor as shown on a submitted floor plan.



## Section 9.18. Business Park (BP) Land Use District

### Summary Table - BP District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

shall govern.

	With Rear Lane		Without Rear Lane	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
Min. Lot Area	1000 sq. m	1000 sq. m	1000 sq. m	1000 sq. m
Min. Front Yard	6 m	6 m	6 m	6 m
Min. Side Yard	not required	Flanking public road 4.5 m	One side 5 m	Flanking public road 4.5 m
Min. Rear Yard	6 m	6 m	3.5 m	3.5 m
Max. Building Height	15m			
Parking	health service, financial institution, general service, convenience store, take-out restaurant, professional office and commercial school		1 stall/45 sq. m	
	business support service		1 stall/30 sq. m	
	community hall		1 stall/5 seats or 1 stall/20 sq. m	
	public utility building, transmitting station, drive-through business		As determined by Development Officer	
	government service		1 stall/8 seats or 1 stall/45 sq. m	
	light industrial, research and development business, research laboratory		1 stall/3 employees/max. working shift (min. 5 stalls)	
	outdoor storage, <del>medical-marihuana production facility</del> , warehouse, indoor storage facility		1 stall/3 employees/max. working shift plus 1 stall/90 sq. m; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw	
	restaurant		1 stall/4 seats	
	parking not permitted within required setback adjacent to public roadway			
Note				

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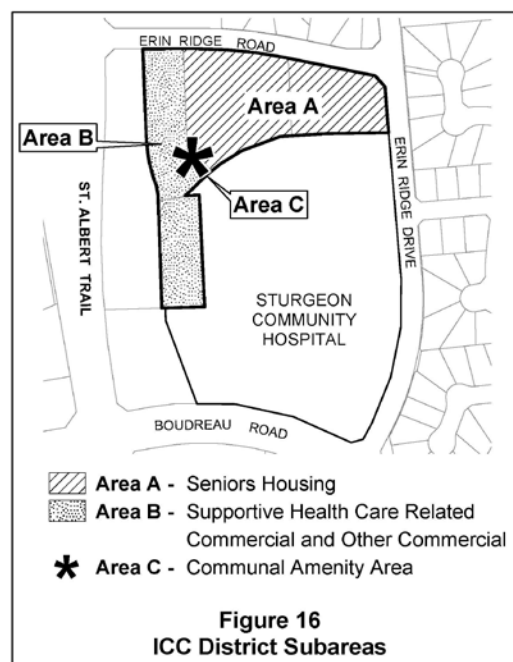
## Section 9.19. Integrated Care Community (ICC) Land Use District

### (1) Application

This section applies to the area designated as Integrated Care Community (ICC) District on the Land Use District Map, Schedule A of the Land Use Bylaw. The area designated as ICC District encompasses Area A - seniors housing, Area B – supportive health care-related commercial, and Area C – communal amenity area as identified in Figure 16.

### (2) Purpose

The purpose of the ICC - Integrated Care Community District is to create an Urban Village concept. An Urban Village encompasses a complementary mix of land uses and activities wherein everything is within convenient, walking distance. The ICC District together with the hospital use will create an Urban Village which encompasses a supportive living environment which integrates seniors housing and health care related services available through Area B and the hospital within a compact, walkable area.



The key attributes associated with the ICC District Urban Village include:

- (a) a relatively compact, pedestrian friendly area that encompasses complementary land uses and activities wherein everything is within convenient walking distance;
- (b) the provision of a focal point within the Urban Village that serves as a link between land uses and meeting place for residents, employees and patrons;
- (c) site design, which fosters people and business interaction and activity and meets the needs of residents, employees and patrons of the area;
- (d) provision for pedestrian and vehicular routes which are attractive, safe, direct, and which facilitate movement between sites and other neighbourhood services and parks; and
- (e) architectural design and site development, which is compatible with and complements the surrounding neighbourhood and hospital and creates a safe and pleasant area.

## Section 9.19. Integrated Care Community (ICC) Land Use District

### (3) Permitted Land Uses – Senior Housing – Area A

The following are permitted uses in Area A of the ICC District:

- (a) long term care housing; and
- (b) supportive housing.

### (4) Discretionary Land Uses – Senior Housing – Area A

The following are discretionary uses in Area A of the ICC District: **(BL13/2006)**

- (a) general service uses and convenience stores that are accessory to long term care housing and supportive housing;
- (b) residential sales centre; and
- (c) accessory development to any use within subsection (3).

### (5) Permitted Land Use – Supportive Health Care – Area B

The following is a permitted use in Area B:

- (a) health service.

### (6) Discretionary Land Uses – Supportive Health Care – Area B

The following are discretionary uses in Area B that may be approved if the use will serve or support permitted uses:

- (a) apartment housing; **(BL13/2006)**
- ~~(b)~~ business support service;
- ~~(b)(c)~~ cannabis retail store with a gross floor area up to 280 sq. m;
- ~~(c)(d)~~ catering service;
- ~~(d)(e)~~ commercial school;
- ~~(e)(f)~~ convenience store;
- ~~(f)(g)~~ day care facility;
- ~~(g)(h)~~ drive-through business for a use listed in subsection (6);
- ~~(h)(i)~~ financial institution;
- ~~(i)(j)~~ general retail store with a gross floor area up to 500 sq. m;
- ~~(j)(k)~~ general service;
- ~~(k)(l)~~ government service;
- ~~(l)(m)~~ grocery store;

## Section 9.19. Integrated Care Community (ICC) Land Use District

- ~~(m)~~(n) liquor store with a gross floor area up to 280 sq. m;
- ~~(n)~~(o) museum;
- ~~(o)~~(p) pharmacy;
- ~~(p)~~(q) professional office;
- ~~(q)~~(r) restaurant;
- ~~(r)~~(s) specialty store;
- ~~(s)~~(t) take-out restaurant;
- ~~(t)~~(u) veterinary clinic;
- ~~(u)~~(v) long term care housing;
- ~~(v)~~(w) supportive housing; and
- ~~(w)~~(x) accessory development to any use within subsections (5) and (6).

### (7) **Permitted Land Use – Communal Amenity Area – Area C**

The following is a permitted use in Area C:

- (a) communal amenity area.

### (8) **Pre-Application Requirements**

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit must submit to the satisfaction of the Development Officer:

- (a) An overall conceptual site development plan for:
  - (i) the area designated as ICC District; or
  - (ii) if the applicant is only developing a portion of the area designated as ICC District, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as ICC District.

The overall conceptual site development plan must identify the proposed building types and locations, development phasing, vehicular and pedestrian routes, and amenity areas in accordance with the purpose of this District.

- (b) A traffic impact analysis that demonstrates that traffic impacts are compatible with the purpose of the ICC District and do not prejudice safety and traffic movements within the ICC District or on adjacent public roadways.
- (c) Design drawings illustrating the colour scheme and building materials in accordance with clause (10)(h).

## Section 9.19. Integrated Care Community (ICC) Land Use District

### (9) Site Design Review

- (a) If a Development Officer receives an application for a development permit within the ICC District, the Development Officer may send a copy of the application to the Capital Health Authority for their review and comment.
- (b) When the Development Officer sends an application to the Capital Health Authority under clause (9)(a), the Development Officer may impose a time limit for response.
- (c) If any comments are received from the Capital Health Authority the Development Officer must have regard for but is not bound by the comments in exercising any discretion under this Bylaw.

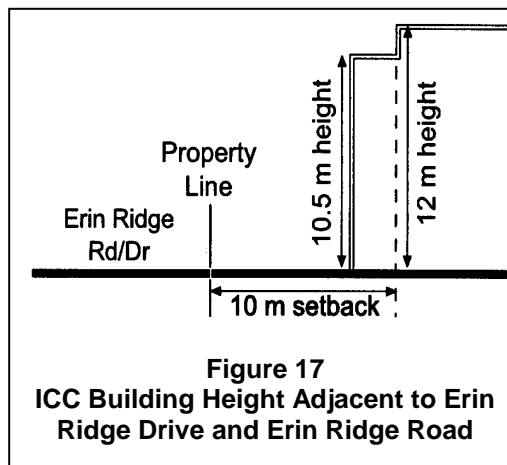
### (10) Development Regulations

- (a) Compliance with Site Plan  
Buildings shall be located in accordance with the overall conceptual site development plan identified in clause (8)(a).
- (b) Site Density  
Regulations Applicable to Areas A & B
  - (i) The maximum site density is 115 sleeping units/ha for long term care housing;
  - (ii) The maximum site density is 105 sleeping or dwelling units/ha for supportive housing;
  - (iii) The maximum site density is 30 dwelling units/ha for cluster housing;
  - (iv) For the purpose of calculating the maximum site density, 27.5 sq. m may be added to the lot area for every parking stall which is constructed underground if the Development Officer considers this to be appropriate given site constraints; **(BL29/2006)**Limits on Area of Discretionary Uses Included in clause (4)(a):
  - (v) The total floor area to be occupied by all discretionary uses referred to in clause (4)(a) must not exceed 10% of the floor area of the development in which they are located. **(BL29/2006)**
  - (vi) The maximum gross floor area of any individual discretionary land use referred to in clause (4)(a) must not exceed 275 sq. m. **(BL29/2006)**

## Section 9.19. Integrated Care Community (ICC) Land Use District

### Regulations Applicable to Area B

- (vii) Health Service must comprise at least 50% of the gross floor area of Area B available for commercial development to the satisfaction of the Development Officer. (BL29/2006)



### (c) Building Height

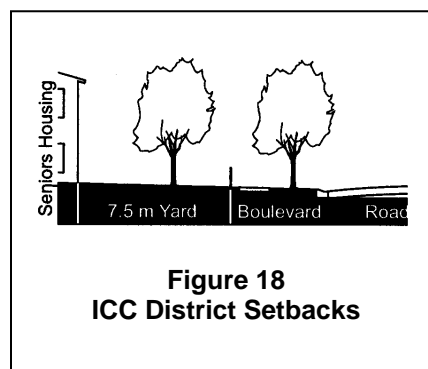
- (i) The maximum building height is 12.0 m, except that the maximum building height for any portion of a building within 10.0 m of the property line adjacent to Erin Ridge Road or Erin Ridge Drive or both shall be 10.5 m. (Figure 17)
- (ii) In the instance where the heliport approach and departure surfaces may allow for less than 12.0 m, the heliport height provisions prevail.

### (d) Building Setbacks

- (i) The minimum building setback within Area A is:
- (A) 7.5 m located adjacent to Erin Ridge Road, Erin Ridge Drive, and St. Albert Road;
  - (B) 6.0 m for the side yard adjacent to an internal roadway or property line; and
  - (C) 6.0 m for the rear yard adjacent to the south property line.

- (ii) The minimum building setback within Area B is 3 m from a property line or an internal roadway, except:

- (A) a greater setback for a courtyard, rest area, building recess, recessed entrance, patio, foundation plantings or similar amenities may be allowed where in



## Section 9.19. Integrated Care Community (ICC) Land Use District

the opinion of the Development Officer, the design is in keeping with the purpose of the ICC District.

- (B) the minimum building setback is 7.5 m adjacent to Erin Ridge Road. (Figure 18)
- (iii) Where a larger building setback is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.
- (e) Separation Distance
  - (i) The minimum separation distance between principal buildings within Area A is 12.0 m.
  - (ii) The minimum separation distance between a principal building located within Area A and a principal building located within Area B is 15.0 m. A minimum of 7.5 m shall be accommodated within Area A.
  - (iii) If a breezeway is contemplated within the overall conceptual plan, a minimum 5.0 m separation distance must be provided between the exterior wall of each building facing the breezeway.
  - (iv) Within Area A, the minimum separation distance is 6.0 m between an exterior wall in which a window, door or other opening faces onto a:
    - (A) roadway;
    - (B) common walkway; or
    - (C) parking area.
  - (v) Where a larger separation distance is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.
- (f) Lot Coverage
  - (i) The maximum lot coverage for Area A development is 40%.
  - (ii) The maximum lot coverage for Area B development is 50%.
- (g) Vehicular and Pedestrian Circulation

In addition to the provisions of Sections 6.23 and 6.9 of this Bylaw the following regulations are applicable to Areas A and B

  - (i) Motor vehicle access to the ICC District is restricted to:
    - (A) 2 all-directional accesses at Erin Ridge Road;



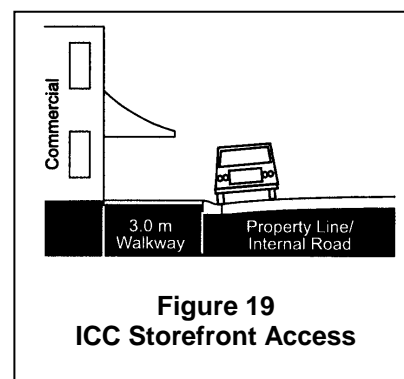
## Section 9.19. Integrated Care Community (ICC) Land Use District

- (B) 1 all-directional access at Erin Ridge Drive;
  - (C) 1 right-in and right-out access to Boudreau Road, and
  - (D) 2 right-in and right-out accesses to Highway 2 (St. Albert Road).
- (ii) The location and geometric details relating to motor vehicle access to and from the ICC District must be the satisfaction of Development Officer in consultation with the Engineering Department.
  - (iii) In making a determination about the location of access points under clause (10)(g)(i), the Development Officer must ensure that motor vehicular access points are dispersed so as to minimize through traffic, on-site traffic speeds and foster a pedestrian orientation within the ICC District.
  - (iv) Notwithstanding clause (10)(g)(i), the Development Officer in consultation with the Engineering Department may vary motor vehicle access points where a traffic impact analysis demonstrates to the satisfaction of the Development Officer that some alternative access may be appropriate.
  - (v) In making a determination about the design of on-site motor vehicle and pedestrian circulation within the ICC District, the Development Officer must ensure that motor vehicle and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both vehicles and pedestrians, including barrier-free routes. Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and minimize impacts on adjacent land uses.

- (vi) In addition to Section 9.9 of this Bylaw, the Development Officer may impose whatever conditions the Development Officer considers necessary in order to require that the applicant:

- (A) provide connections to parking areas, and to public rights-of-way adjoining the community for access to transit, services and amenities;

- (B) provide pedestrian access from the adjacent neighbourhood and Area A to Area B;



**Figure 19  
ICC Storefront Access**

## Section 9.19. Integrated Care Community (ICC) Land Use District

- (C) provide pedestrian walkways along storefronts which have doors or similar openings;
  - (D) separate pedestrian movements and motor vehicle traffic by delineating the crosswalk with special paving or, where possible, raising crosswalks; and
  - (E) construct and maintain the pedestrian walkways for use by the public.
- (vii) The pedestrian circulation system must be designed to enhance security within Area A and Area B.
- (viii) Pedestrian walkways must be constructed of a hard surface material and must be a minimum of 2.5 m in width, except in the case of:
- (A) a storefront access where a minimum 3.0 m walkway width must be provided (Figure 19); and
  - (B) a breezeway where a minimum 5.0 m walkway must be provided.

### Additional Regulations Applicable to Area B

- (ix) Buildings within Area B must have continuous overhead weather protection for the entire building frontage along a pedestrian walkway in a method suitable to the architectural style of the building.
  - (x) The continuous overhead weather protection must be at least 2.0 m wide and must have a vertical clearance of at least 2.5 m and at most 4.0 m above the sidewalk.
- (h) Architectural Design and Site Appearance

In addition to the provisions of Section 6.7 of this Bylaw, the following regulations are applicable to Areas A and B.

- (i) The Development Officer may require that a building be designed and finished in order to be compatible with the surrounding neighbourhood as follows:
  - (A) design techniques including but not limited to, the use of sloped roofs, variations in building setbacks, and articulation of building facades must be employed in order to create architectural interest, to provide a unified building exterior, and to minimize the perceived mass and linearity of buildings.
  - (B) the design for buildings within the district must establish a single architectural theme including principal design elements, finishing materials, colours, and roof style. The exterior wall finish must be uniform around all sides of the building.

## Section 9.19. Integrated Care Community (ICC) Land Use District

- (C) the exterior wall finishing materials must be predominantly composed of muted colours, with brick similar to that utilized in the Sturgeon Community Hospital and Health Centre or the fencing for the Erin Ridge Subdivision used as an accent.
- (ii) In addition to the requirements of Sections 6.11 and 6.16 of this Bylaw, outdoor storage and refuse and recycle areas must be screened to the satisfaction of the Development Officer taking into consideration the view from the adjacent district and public roadway.

### Regulation Applicable to Area A

- (iii) In the event that long term care housing or supportive housing is developed adjacent to St. Albert Road, mitigative measures must be taken to provide for noise attenuation along St. Albert Road to the satisfaction of the Development Officer in consultation with the Engineering Department.

### Regulation Applicable to Area B

- (iv) The facades of any buildings facing towards St. Albert Road, Boudreau Road, a pedestrian walkway or internal roadway may be required to provide for clear glazing along at least 50% of the facade to allow visual penetration into the interior of the building.
- (v) In addition to the provisions of clause (iv) the Development Officer may require that any side of a building that fronts onto a pedestrian walkway must incorporate design features which will create a pedestrian friendly environment, including:
  - (A) multiple and varied street entrances providing direct access to the sidewalk; and
  - (B) architectural features and street furniture which strengthen the image of the businesses along the street.
- (i) Outdoor lighting
  - (i) All on-site outdoor lighting must be located so as not to:
    - (A) extend beyond the boundaries of the site except where the light is directed onto a public sidewalk;
    - (B) adversely affect traffic safety or interfere with traffic control devices.
  - (ii) All outdoor lighting within the ICC District shall be of a design and style that are consistent with the purpose of this District to the satisfaction of the Development Officer and shall provide safety and security and add visual interest.

## Section 9.19. Integrated Care Community (ICC) Land Use District

- (iii) Outdoor lighting must be provided for all amenity areas, walkways and parking areas to the satisfaction of the Development Officer.
- (j) Communal Amenity Area

### Regulations Applicable to Area A

- (i) Developments which include 40 or more sleeping or dwelling units must provide a minimum amenity area of 2.5 sq. m per sleeping or dwelling unit to be developed as outdoor communal amenity area and be aggregated into areas of not less than 100 sq. m for the benefit of the residents in each building.
- (ii) The amenity area may include seating areas, raised gardens, courtyards and recreational areas.

### Regulations Applicable to Area B

- (iii) A single communal amenity area – Area C must be provided for the benefit of all development within Area B and is to be centrally located between the seniors housing and commercial areas within Area B. The amenity area is to be designed to serve as a space for the active or passive recreation and enjoyment of the public so as to maximize the accessibility and use of the area by the public during the hours which the development is open to the public. Access to the amenity area must be at no cost to the public.
  - (iv) The amenity area may include a plaza or focal point.
  - (v) The amenity area must be a minimum of 100 sq. m in size.
  - (vi) The amenity area may include such elements as street furnishings, hard surfacing, plantings, amenities, art and sculpture and architectural features to create a strong sense of a communal gathering place, to the approval of the Development Officer. The amenity area must also provide for an area of overhead weather protection as a portion of the amenity area.
  - (vii) The amenity area must provide for at least one pedestrian walkway connection to Sturgeon Community Hospital and Health Centre, Area B and Area A and off-site pedestrian linkages.
- (k) Landscaping

Except as identified through the following regulations in this section, Section 6.13 applies:

- (i) Any parking lot within Area A or B having more than 10 stalls which are visible from an adjoining residential district or public roadway must have perimeter landscaping between the parking area and the front property line. Perimeter landscaping in conjunction with other man-made features must provide

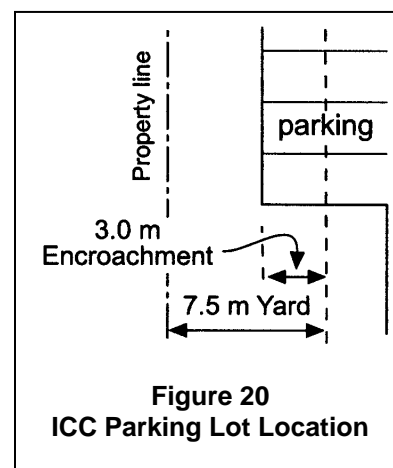
## Section 9.19. Integrated Care Community (ICC) Land Use District

substantial interruption of the view of the parking area to a minimum height of 1.0 m and must be provided by means of:

- (A) intermittent screen fencing and landscaping; or
- (B) undulated berming and landscaping; or
- (C) a continuous landscape screen.

### Additional Regulations Applicable to Area A

- (ii) All minimum required yards within Area A must be landscaped. Within required yards, trees must be planted in an overall ratio of 1 tree per 75 sq. m of landscape area to enhance development and provide a visual buffer for adjacent residential. Wherever space permits, trees must be planted in groups and groupings must be dispersed within the site. Coniferous trees must comprise a minimum proportion of 40% of all trees planted.

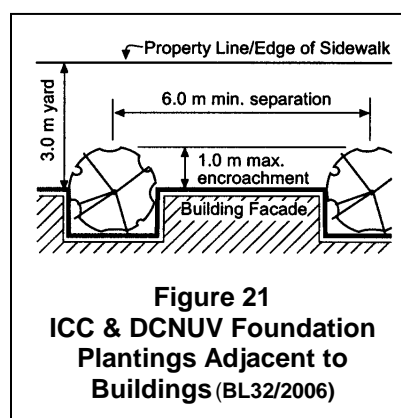


**Figure 20**  
**ICC Parking Lot Location**

- (iii) That portion of the building setback measured 4.5 m beyond the property line, adjacent to Erin Ridge Road, Erin Ridge Drive and St Albert Road, may be used for a driving aisle or parking purposes. (Figure 20)
- (iv) Notwithstanding clause(10)(I)(ii), only deciduous trees must be employed in landscaping of interior parking lots.

### Additional Regulations Applicable to Area B

- (v) Foundation plantings must be incorporated within Area B and shall consist of shrubs and deciduous trees grouped, where appropriate, in clusters every 6 m along the building frontage to enhance development and act as a visual buffer. (Figure 21)
- (vi) Foundation plantings may be allowed within a required yard to a maximum of 1.0 m, provided that a minimum setback of 2.0 m is maintained between the internal road or property line and the planting.
- (vii) Required yards may include pedestrian walkways in



**Figure 21**  
**ICC & DCNUV Foundation**  
**Plantings Adjacent to**  
**Buildings (BL32/2006)**

## Section 9.19. Integrated Care Community (ICC) Land Use District

accordance with clauses (10)(g)(vi) and (vii) or be landscaped.

(l) Parking and Loading

In addition to the parking and loading provisions identified in Part 7 of this Bylaw, the following regulations are applicable to Areas A and B:

- (i) Shared parking may be considered in partial fulfilment of the parking requirements at the discretion of the Development Officer in consultation with the Engineering Department having regard for the future parking needs of the district, existing parking requirements for the hospital site, potential for changes in the hospital parking requirement, and other matters as may be identified by the Development Officer.
- (ii) Parking areas must be designed such that pedestrian routes are clearly identified, and that the disruption of pedestrian route continuity is minimized.

Additional Regulations Applicable to Area A

- (iii) A vehicular drop-off area to accommodate residents and adult day program users must be provided to the satisfaction of the Development Officer in consultation with the Engineering Department.
- (iv) Clear signage, which specifically designates visitor and staff parking, handi-bus parking and drop-off areas must be provided to the satisfaction of the Development Officer.
- (v) Parking and driving aisles may be permitted within a required yard located adjacent to Erin Ridge Road, Erin Ridge Drive and St Albert Road to a minimum depth of 4.5 m measured from the front property line.

Additional Regulations Applicable to Area B

- (vi) Where possible on-site parking must be located to the sides of commercial buildings, so as to minimize the view of the parking area from the travelling public.
  - (vii) Parking and driving aisles are not permitted within a required yard within Area B.
- (m) Development of the land uses within the ICC District shall comply with the provisions of this Bylaw, except as otherwise stated within the District in which case the ICC District shall prevail.

## Section 9.19. Integrated Care Community (ICC) Land Use District

### Summary Table - ICC District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

**Due to the complexity of this District, please refer to the text in Section 9.19 for all requirements specific to this District.**

Parking	catering service, commercial school, general retail store, general service, health service, specialty store, take-out restaurant, convenience store, professional office, financial institution, pharmacy, veterinary clinic	1 stall/45 sq. m
	long term care housing	a minimum of 1 stall per 5 dwelling units, plus; 1 stall per 7 dwelling units for visitor parking, plus; 1 stall per employee with a letter from the applicant identifying the total number of employees;
	supportive housing	1 stall per dwelling unit or 1 stall per 5 dwelling units for each non-self-contained supportive housing unit, plus; 1 stall per 7 dwelling units for visitor parking, plus; 1 stall per employee with a letter from the applicant identifying the total number of employees
	government service	1 stall per 8 seats or 1 stall per 45 sq. m of gross floor area, whichever is the greater;
	grocery store	1 stall per 20 sq. m of gross floor area;
	business support service, <u>cannabis retail store</u> , liquor store	1 stall/30 sq. m
	residential sales centre	as required by the Development Officer
	restaurant	1 stall/4 seats
	drive-through business, public utility building, museum	As determined by Development Officer
	day care facility	4 stalls; or 1 stall per 2 employees plus 1 stall per 10 patrons; whichever is greater

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## Section 9.20. Business Park Transition (BPT) Land Use District

(BL27/2005)

(1) **Application**

This section applies to the areas designated as Business Park Transition (BPT) on the Land Use District Map, Schedule A of this Bylaw.

(2) **Purpose**

The purpose of the Business Park Transition (BPT) District is to provide an aesthetically attractive transition area between the Commercial and Industrial Service Land Use District and the Business Park Land Use District. Developments within this land use district should compliment and be similar too development within the Business Park Land Use District. This district encourages attractively designed buildings, provides for an abundance of landscaping, and establishes land uses that do not create air, ground, noise, and water pollution.

(3) **Permitted Land Uses**

The following are permitted uses:

- (a) commercial school;
- (b) government service;
- (c) indoor storage facility; **(BL2/2017)**
- (d) light industrial;
- (e) professional office;
- (f) public utility building;
- (g) research and development business; and
- (h) research laboratory.

(4) **Discretionary Land Uses**

The following are discretionary uses that may be approved if the use will serve or support permitted uses in the BP district:

- (a) business support service;
- (b) catering service;
- (c) community hall with a gross floor area up to 745 sq. m;
- (d) construction service;
- (e) convenience store;
- (fd) financial institution, including a drive-through;
- (ge) general service;

## Section 9.20. Business Park Transition (BPT) Land Use District

(BL27/2005)

- (~~hf~~) household repair service;
- (~~ig~~) indoor recreation service;
- ~~(h) — medical marihuana production facility (MMHF); (BL22/2014)~~
- (~~ij~~) outdoor storage;
- (~~ki~~) restaurant up to 50 seats;
- (~~lk~~) take-out restaurant;
- (~~ml~~) transmitting station;
- (~~nm~~) veterinary clinic
- (~~or~~) wall mural;
- (~~pe~~) warehouse, provided that the warehouse activity is incidental to the primary use of the building and storage activities comprise less than 50% of the gross floor area; and
- (~~qp~~) accessory developments to any use listed in (3) or (4).

### (5) Performance Standards

- (a) No primary or accessory use shall be so conducted as to cause the discharge of any harmful waste materials
  - (i) into or upon the ground;
  - (ii) into or within any sanitary or storm sewer system;
  - (iii) into or within any water system or water body; or
  - (iv) into the atmosphere.
- (b) No use or activity shall be conducted or permitted that is dangerous
  - (i) to persons or property by reason of the creation of a fire, explosion, or other physical hazard; or
  - (ii) by reason of air pollution, odour, smoke, noise, vibration, radiation or fumes.

### (6) Lot Area

The minimum lot area is 1000 sq. m.

## Section 9.20. Business Park Transition (BPT) Land Use District

(BL27/2005)

### (7) **Building Height**

The maximum building height is 15 m.

### (8) **Building Setbacks**

The minimum building setbacks shall be provided as follows:

- (a) the minimum front yard building setback is 6 m;
- (b) an interior lot serviced by a rear lane does not require a side yard building setback;
- (c) an interior lot not serviced by a rear lane requires a minimum side yard building setback of 5 m on one side of the lot to provide vehicle access to the rear of the lot;
- (d) a corner lot must provide a minimum side yard building setback of 4.5 m on the side of the lot flanking the public roadway; and
- (e) the minimum rear yard building setback is 3.5 m, except where a lot is serviced by a rear lane in which case it is 6 m.

### (9) **Design, Character and Appearance of Buildings**

In addition to the requirements in Section 6.7, all buildings must be finished as follows to the satisfaction of the Development Officer:

- (a) Building materials shall be appropriate for the use and for the type of structure in which they are used including;
  - (i) materials used for building exterior shall be concrete, exposed aggregate concrete, stucco, glass, brick, natural stone, wood, or metal; and
  - (ii) corrugated metal and similar materials are discouraged for use on building facades or roofs and shall not be used for facades visible from public rights-of-way.
- (b) All exterior surfaces shall have a finished treatment.
- (c) The use of two or more colours is required to enhance the building exterior and to create design accents. Building and architectural details (including flashing and downspouts) shall have a colour that complements or accents the main building.
- (d) Large expanses of uninterrupted wall planes are prohibited where visible from a street or from the boundaries of the Business Park district.
  - (i) The use of fascias, canopies and other multi-dimensional exterior features is encouraged in order to break up large, uniform wall surfaces;

## Section 9.20. Business Park Transition (BPT) Land Use District

(BL27/2005)

- (ii) Multi-dimensional features shall be in proportion to the wall heights and building mass.
- (e) Trailers, mobile offices, and other temporary structures shall not be allowed except for use during construction.

### (10) **Parking and Loading Areas**

In addition to the parking and loading requirements under Part 7, parking and loading areas must conform to the following requirements:

- (a) all loading docks shall be located on the interior of the site or shall be screened from the public right-of-way by means of a sight-obscuring screen to the satisfaction of the Development Officer;
- (b) parking areas shall be screened by a sight-obscuring screen on each side that is adjacent to a public street as follows:
  - (i) screening along interior property lines shall be 1 m in height and screening along public rights-of-way shall be 1 m in height; and
  - (ii) plantings shall be coniferous and must be planted at appropriate intervals to establish a solid hedge upon maturity.
- (c) Parking facilities shall be used for temporary automobile parking only.

### (11) **Garbage and Recycling Storage**

In addition to the requirements of Section 6.11, freestanding enclosures and screening for storage bays shall be comprised of solid fencing or walls that match or complement the materials of the principal building.

### (12) **Outdoor Storage**

Limited outdoor storage areas are allowed, subject to the following restrictions and requirements:

- (a) outdoor storage may occupy an area equal to or less than 50% of the floor area of the ground floor of the building(s) on the same premises or equal to or less than 25% of the total site area, whichever is less;
- (b) Notwithstanding clause (a), the outdoor storage area may be increased at the discretion of the Development Officer based upon the use proposed and site conditions;
- (c) outdoor storage areas shall be located behind the building, to the rear of the site and not adjacent to front property lines;
- (d) outdoor storage areas shall be screened with a sight-obscuring screen at least 2 m in height;

## **Section 9.20. Business Park Transition (BPT) Land Use District**

(BL27/2005)

- (e) equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and shall be no higher than the height of the sight-obscuring screen;
- (f) outdoor storage areas shall not be used to store waste or recycled materials; and
- (g) outdoor storage areas shall not be used to satisfy on-site parking area requirements.

## Section 9.20. Business Park Transition (BPT) Land Use District

(BL27/2005)

### Summary Table - BPT District

Summary tables are provided for reader convenience only and do not form part of this Bylaw.  
For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

	With Rear Lane		Without Rear Lane	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
Min. Lot Area	1000 sq. m	1000 sq. m	1000 sq. m	1000 sq. m
Min. Front Yard	6 m	6 m	6 m	6 m
Min. Side Yard	not required	Flanking public road 4.5 m	One side 5 m	Flanking public road 4.5 m
Min. Rear Yard	6 m	6 m	3.5 m	3.5 m
Max. Building Height	15m			
Parking	financial institution, general service, convenience store, take-out restaurant, professional office, commercial school, catering service, household repair service, veterinary clinic and construction service		1 stall/45 sq. m	
	business support service		1 stall/30 sq. m	
	community hall		1 stall/5 seats or 1 stall/20 sq. m	
	public utility building, transmitting station, drive-through business		As determined by Development Officer	
	government service		1 stall/8 seats or 1 stall/45 sq. m	
	light industrial, research and development business, research laboratory		1 stall/3 employees/max. working shift (min. 5 stalls)	
	<del>medical marijuana production facility,</del> outdoor storage, warehouse, indoor storage facility		1 stall/3 employees/max. working shift plus 1 stall/90 sq. m; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw	
	restaurant		1 stall/4 seats	
	indoor recreation service		1 stall/5 seats for fixed seating plus 1 stall/10m <sup>2</sup> of gross floor area for non-fixed seating areas	
	parking not permitted within required setback adjacent to public roadway			
Note				

## **Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)**

**(1) Application**

This section applies to the areas designated as Regional Commercial (RC) on the Land Use District Map, Schedule A, of the Land Use Bylaw.

**(2) Purpose**

The purpose of the Regional Commercial Land Use District is to:

- a) Provide an area with regional roadway access for the sale of the widest variety of goods and services to the community and to the surrounding region.
- b) Establish a high quality commercial district accommodating a range of uses designed to serve the community as well as a larger trade area.
- c) Ensure developments are designed to respect a regional commercial context while providing a safe, pleasant and pedestrian-friendly environment.
- d) Ensure development is effectively connected to surrounding developments for all means of transportation.

**(3) Permitted Land Uses**

The following are permitted uses:

- a) art gallery;
- b) business support service;
- c) catering service that uses up to 3 vehicles;
- d) cinema;
- e) convenience store;
- f) drinking establishment;
- g) financial institution including drive-through;
- h) gas bar;
- i) general retail store;
- j) general service;
- k) government service;
- l) grocery store;
- m) health service;
- n) hotel;

## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

- o) household repair service;
- p) indoor recreation service;
- q) liquor store;
- r) parking structure;
- s) professional office;
- t) restaurant;
- u) shopping centre;
- v) specialty store;
- w) take-out restaurant;
- x) theatre;
- y) video outlet; and
- z) warehouse store.

### (4) Discretionary Land Uses

The following are discretionary uses:

- a) amusement arcade;
- b) animal service;
- c) automotive sales and service;
- d) automotive service;
- e) automotive specialty;
- ~~e~~f) cannabis retail store;
- ~~f~~g) car wash;
- ~~g~~h) casino;
- ~~h~~i) community hall with a gross floor area up to 3,250 sq. m.;
- ~~i~~j) construction service;
- ~~j~~k) day care facility;
- ~~k~~l) drive-through business;
- ~~l~~m) dwelling unit above a ground floor commercial use;
- ~~m~~n) equipment rental;
- ~~n~~o) outdoor display;
- ~~o~~p) pool hall;
- ~~p~~q) public utility building;
- ~~q~~r) recreational vehicle sales & services;



## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

- ~~h~~s) recycling depot;
- ~~s~~t) veterinary clinic;
- ~~h~~u) wall mural; and
- ~~h~~v) accessory development to any use listed in (3) and (4).

### (5) **Pre-Application Requirements**

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within the RC Land Use District must submit to the satisfaction of the Development Officer:

- (a) an overall conceptual site development plan for the area designated as RC or, if the applicant is only developing a portion of the subject area, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as RC.

The overall conceptual site development plan, considered to be non-binding, must identify the proposed building types and locations, development phasing, vehicular and pedestrian routes, amenity areas and signage.

- (b) details regarding the architectural guidelines proposed for the development including design drawings illustrating the colour scheme and building materials.

### (6) **Building Height**

The maximum building height is 18 metres.

### (7) **Building Setbacks**

The minimum building setbacks are as follows:

Yard	Minimum Building Setback
(a) Front Yard	(i) 7 metres;
(b) Side Yard	(i) 3.5 metres adjacent to a non-residential use or district unless 0 metres side yard;  (ii) 6.5 metres adjacent to a residential use or district;
(c) Rear Yard	(i) 0 metres adjacent to a non-residential use or district;  (ii) 6.5 metres adjacent to a residential use or district; and

## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

(d) Notwithstanding the above, the Development Officer may reduce the building setbacks in order to accommodate pedestrian connectivity, streetscape continuity or continuous storefront retail development while having regard to on-site constraints, adjacent uses, urban design considerations and safe traffic sightlines.

(e) Parking, loading or outdoor storage areas or garbage containers must not encroach more than 3 metres into any required side or rear yard setback and 0 metre side yard is not permitted where, in the opinion of the Development Officer, traffic circulation or deliveries would be adversely affected.

### (8) Environmental Considerations

Where deemed appropriate and having regard to lot size, lot configuration or other on-site constraints, the Development Officer may require developments within this district to incorporate sustainable development practices through the use of, but not limited to, the following techniques:

- a) Infrastructure practices and site design that conserve the consumption of water, energy and materials.
- b) Combination of low impact development techniques implemented throughout the parking area of the site (i.e. bioretention cells, bioswales, pervious surfaces) that results in an efficient conservation in site run-off.



**Bio Retention Cell**

### (9) Site Design Standards

- a) Central Feature/Community Space

The overall development shall contribute to the establishment or enhancement of community and public spaces by providing at least one of the following:

- (i) patio/seating area;
- (ii) pedestrian plaza with benches;
- (iii) landscaped picnic area;
- (iv) transit stop with amenities (benches, shelter, etc.);

and, at least two of the following shall be provided:

- (v) window shopping walkway
- (vi) outdoor playground area
- (vii) kiosk area
- (viii) water feature
- (ix) public art feature
- (x) clock tower; or
- (xi) other such deliberately shaped area and/or a focal feature

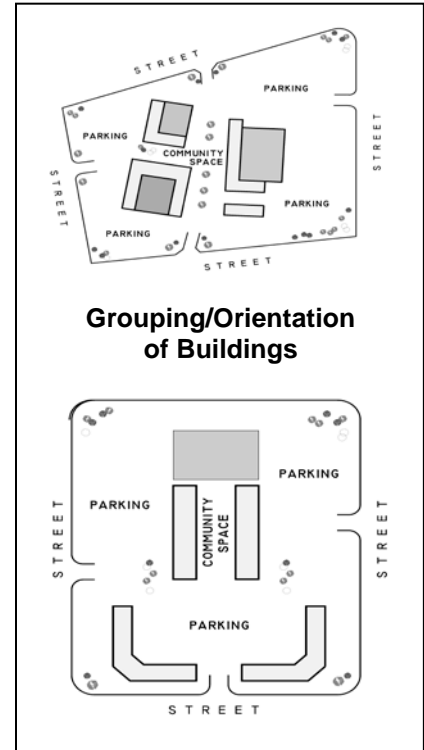
## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

or amenity that, in the judgment of the Development Officer, adequately enhances such community and public spaces.

### b) Grouping/Orientation of Buildings

To encourage a 'park-once' site design and to enhance the pedestrian shopping environment within shopping centers, the Development Officer may require any of the following:

- (i) Where practical, the grouping of buildings in clusters with the buildings primarily oriented to create an attractive and pedestrian-friendly public realm. In requiring such a configuration, the Development Officer shall have regard to building size and intended use: generally, larger buildings such as warehouse stores, grocery stores, or casinos and/or uses that are more vehicular oriented such as drive through businesses; automotive sales and service; car washes; gas bars; etc., will not be considered for building grouping of this nature;
- (ii) The configuring of buildings to provide for shared parking to encourage pedestrian rather than vehicular movement between buildings; and
- (iii) Where practical, buildings being oriented to permit views into the site along the axes of roadways and walkways abutting the perimeter public roadways.



### c) Parking

In addition to the requirements of Section 6.13 along with Part 7 of this Bylaw, the following requirements apply with respect to parking:

- (i) Soft landscaping is to be used to enhance and visually breakup parking areas. A landscaping ratio of 1.85 square metres provided per parking stall shall be provided and no parking stall shall be located more than 50 metres from a landscaped area.
- (ii) To ensure the long-term vitality of trees within parking lots, landscape islands shall be a minimum of 5.0 m in width and 11.0 m in length. Lesser dimensions may be determined by the Development Officer if deemed appropriate due to the size or configuration of the parking lot or other on-site constraints.
- (iii) If the maximum number of parking stalls for a

**Section 9.21. Regional Commercial (RC) Land Use District  
(BL24/2009)**

shopping center and/or warehouse store is proposed to exceed 150 per cent or 1.5 times the minimum required in Part 7 of this Bylaw, the Development Officer may determine that at least one of the following requirements is met:

- A. additional parking stalls exceeding 1.5 times the minimum required being provided either underground or in a parkade structure above the retail establishment or surrounded by liner buildings; or
  - B. a combination of low impact development techniques is implemented throughout the parking area of the site as indicated under subsection 8(b) (Environmental Considerations).
- (iv) Bicycle parking shall be provided to the satisfaction of the Development Officer and be highly visible to intended users; be encouraged to have overhead weather protection; and shall not encroach on pedestrian thoroughfares.
- d) Pedestrian Flows
- (i) Pedestrian walkways shall be designed to provide a safe and convenient route between focal points.
  - (ii) Sidewalks shall be provided along all sides of the site that abut a public roadway, and all internal primary drive aisles. All sidewalks shall be continuous with other sidewalks or pedestrian walkways both internally to the site and to adjacent developments.
  - (iii) Continuous internal pedestrian walkways on the site shall:
    - A. be at least 3.0 m in width, with a minimum pedestrian thoroughfare of 1.8m.
    - B. connect focal points of pedestrian activity, within and external to the site, such as, but not limited to: public sidewalks along the perimeter of the site, walkways from adjacent developments, transit stops, street intersections, building entrances, amenity feature community space and parking areas.
    - C. be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or coloured concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.



**Bicycle Parking**



**Walkways distinguished  
from driving surfaces**

## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

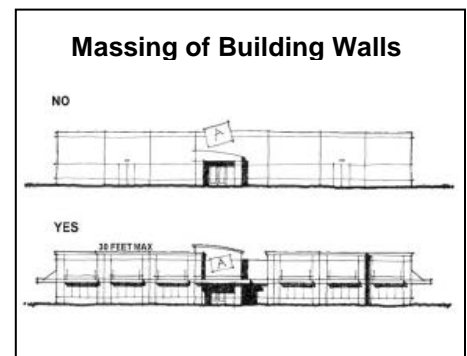
- D. be raised or ramped when traversing vehicular drive aisles and delineated with coloured concrete or painted lines.
- (iv) Sidewalks along buildings shall generally:
  - A. be provided along the full length of the building along any façade of the building featuring a customer entrance, and along any façade abutting public parking areas.
  - B. be at least 3.6 m in width along the façade where the primary customer entrance is located, of which 1.8 m will be a frontage zone for trees, benches, garbage cans and other typical street amenities.
  - C. provide weather protection features such as, but not limited to awnings, arcades, canopies, colonnades, overhangs, or projections.

### (10) **Building Design and Architectural Standards**

In addition to the requirements of Section 6.7 of this Bylaw, the buildings within this district shall incorporate the following:

#### a) Facades

- (i) The massing of building walls shall be reduced through the use of architectural elements such as columns, ribs, pilasters or piers, changes in plan (eg. recesses and projections), changes in building finishes, materials, textures and colors, or other features that create an identifiable pattern and sense of human scale. No uninterrupted length of any façade shall exceed 30 meters including any façade visible from adjoining properties and/or public roadways.
- (ii) Ground floor front facades that face public roadways, public sidewalks or internal pedestrian walkways shall incorporate visual interest through articulation and other architectural features such as arcades, display windows, entry areas, awnings, recesses, or projections. For commercial units with less than 500 square meters of gross floor area, the portion of the front façade located between 0.9 metres and 2.4 metres above walkway grade shall be transparent along no less than 60% of the horizontal length of the store along the building façade, and no window shall consist of reflective glass.
- (iii) Building facades, including those visible from adjoining properties and/or public streets, shall incorporate a high



## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

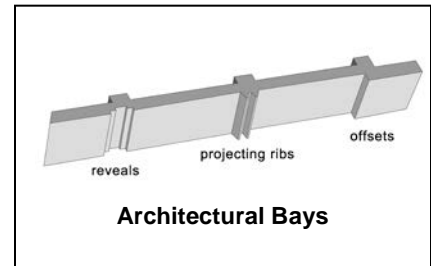
degree of visual interest through the use of the following elements listed below.

- A. Color change
- B. Texture change
- C. Material module change
- D. Expression of architectural or structural bays through a change in plane no less than 30 cm in width, such as an offset, reveal or projecting rib.

### b) Roofs

The roof line of buildings shall consist of: varying pitches that may be finished in any combination of metal, wood shakes, asphalt shingles, clay tiles, or roof materials having a similar texture and appearance; and/or flat roofs that include articulation and use of design elements that are in harmony with the principal architectural theme that reduce any perceived mass and linearity of large buildings and add architectural interest.

Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view shall be provided. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall.



### c) Materials and Colors

- (i) Predominant exterior building materials shall be high quality materials. These include, without limitation: brick, wood, natural stone, tinted or textured concrete, stucco, exposed aggregate concrete, glass, or concrete masonry units. Metal siding is discouraged. Vinyl siding is prohibited.
- (ii) Predominant exterior building materials should not include the following: smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels.
- (iii) Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.
- (iv) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be used for building trim or accent areas.

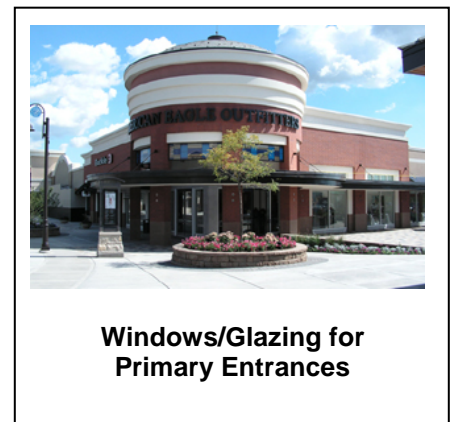
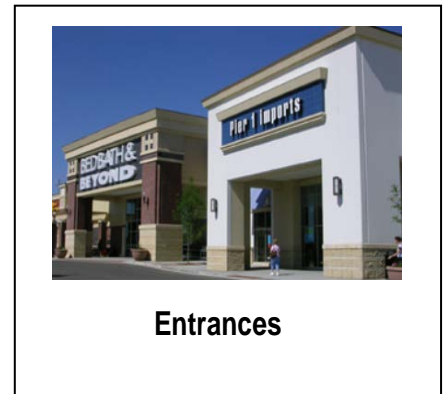
## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

d) Entrances

- (i) Entrances must coordinate with pedestrian networking and public connectivity to and through the site.
- (ii) Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than two of the following:
  - A. Canopies or porticos;
  - B. Overhangs;
  - C. Recesses/projections;
  - D. Arcades;
  - E. Raised corniced parapets over the door;
  - F. Peaked roof forms;
  - G. Arches;
  - H. Outdoor patios;
  - I. Architectural details such as tile work and moldings which are integrated into the building structure and design;
  - J. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- (iii) A warehouse store shall feature a functioning customer entrance located on the side that is planned to have the highest level of public pedestrian activity, facing an adjacent public street, internal pedestrian-oriented roadway or main parking lot area. Where pedestrian connectivity can be enhanced between the warehouse store and an adjacent use and/or parking area, the Development Officer may require a second customer entrance. All entrances shall be architecturally prominent and clearly visible from the abutting public street.
- (iv) The primary customer entrance facades to commercial / retail units shall be designed to create an attractive streetscape and visual interest through the use of windows and transparent glazing.

e) Storage and Loading Areas

- (i) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are minimized and no attention is attracted to the functions by the use of screening



## **Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)**

materials that are different from or inferior to the principal materials of the building and landscape.

- (ii) Non-enclosed areas for the storage and sale of seasonal inventory shall be screened with walls and/or fences.

### **(11) Signage**

In addition to the requirements of Schedule C of this Bylaw, signage within this district shall incorporate the following:

- a) Signs shall be designed to reflect an aesthetically pleasing and cohesive approach to complement the architectural features of all buildings and create a unique and identifiable image for the entire precinct.
- b) Directional signage is encouraged to provide information at critical locations relating to primary tenants, parking lots, loading zones and pick up areas, entrances, exits and amenity areas.

### **(12) Outdoor Lighting**

In addition to the requirements of Section 6.16 of this Bylaw, all on-site surface parking lots, exterior walkways, and rear, front and side yards must be illuminated. Buildings are encouraged to incorporate exterior and decorative lighting to enhance building architecture, landscaping elements and focal points.

Disclosure:

\*\*All illustrations and images are for reference purposes only and are not intended to demonstrate the specific architectural design or material composition.

### **Summary Table - RC District**

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.



## Section 9.21. Regional Commercial (RC) Land Use District (BL24/2009)

<b>Building Height</b>	18 m	
<b>Min. Front Yard</b>	7 m	
<b>Min. Side Yard</b>	3.5 m if adjacent to a non-residential use/district unless 0 m side yard	
	6.5 m if adjacent to residential use/district	
<b>Min. Rear Yard</b>	Not required if adjacent to non-residential use/district	
	6.5 m if adjacent to residential use/district	
	NOTE: above setbacks may be reduced by Development Officer – see Section 9.21(7)(d)	
<b>Parking</b>	art gallery, amusement arcade, car wash, drive-through business, pool hall, public utility building, recycling depot	as required by Development Officer
	business support service, <u>cannabis retail store</u> , liquor store	1 stall/30sq.m of gross floor area
	casino	1 stall/2.5 seats
	cinema, theatre	1 stall/4 seats
	animal service, automotive sales and service, automotive service, automotive specialty, catering service, construction service, convenience store, financial institution, gas bar, general retail store, general service, health service, household repair service, professional office, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m of gross floor area
	community hall	1 stall/5 seats or 1 stall/20 sq. m of gross floor area, whichever is greater
	day care facility	4 stalls; or 1 stall/2 employees plus 1 stall/10 patrons, whichever is greater
	drinking establishment, restaurant	1 stall/4 seats
	government service	1 stall/8 seats or 1 stall/45 sq. m of gross floor area, whichever is greater;
	grocery store	1 stall/20 sq m of gross floor area
	hotel	1 stall/guest room, plus additional stalls in accordance with the parking requirements for any other uses which form part of the hotel
	indoor recreation service	1 stall/5 seats for areas with fixed seating, plus 1 stall/10 sq m of gross floor area for uses without fixed seating; and the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service

**Section 9.21. Regional Commercial (RC) Land Use District  
(BL24/2009)**

	shopping centre	1 stall/30 sq. m of gross floor area and see Part 7 (3a) for additional requirements on specific uses within a shopping centre
	equipment rental, indoor storage facility	1 stall for every 3 employees required during maximum working shift; plus 1 stall per 90 sq. m of gross floor area; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw

**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

**(1) Application**

This section applies to the areas designated as Business Park (BP2) Direct Control on the Land Use District Map, Schedule A of this Bylaw.

**(2) Purpose**

The purpose of the Business Park (BP2) Direct Control District is to provide an architecturally consistent working environment for a mixture of commercial and light industrial uses. The essential purpose of this District is to achieve development in a park-like setting that is an economic asset to the owners, neighbours, and the community. This district encourages attractively designed buildings, provides for an abundance of landscaping, and establishes land uses that do not create air, ground, noise, and water pollution.

**(3) Land Uses – Council Approval**

For uses are not listed under subsection (4) or subsection (5), Council:

- (a) shall determine the land uses that may be allowed in a Business Park (BP2) Direct Control district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use. In determining the development regulations that may be applied, Council may refer to the Business Park (BP2) Direct Control or any other land use district or any part of the Land Use Bylaw.
- (c) notwithstanding the provisions of subsection (b) above, as a minimum Council shall ensure that the requirements of Section 9.22(10) are imposed as conditions of approval for uses that Council approves in order to ensure that architectural standards are maintained for all development within this District and are consistent with the purpose of the District.

**(4) Permitted Land Uses**

Council delegates the following permitted uses for approval by the Development Officer:

- (a) artist studio;
- (b) business support service;
- (c) commercial school;
- (d) general service;
- (e) government service;
- (f) health service;
- (g) household repair service;
- (h) indoor storage facility; **(BL2/2017)**
- (i) light industrial;
- (j) professional office;
- (k) public utility building;

**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

- (l) research and development business;
- (m) research laboratory;
- (n) specialty store;
- (o) veterinary clinic; and
- (p) warehouse store.

**(5) Discretionary Land Uses**

Council delegates the following discretionary uses that may be approved by the Development Officer:

- ~~(a)~~ animal service;
- ~~(a)~~~~(b)~~ cannabis retail store
- ~~(b)~~~~(c)~~ catering service;
- ~~(c)~~~~(d)~~ chemical processing, excluding tank farms;
- ~~(d)~~~~(e)~~ community hall;
- ~~(e)~~~~(f)~~ construction service;
- ~~(f)~~~~(g)~~ convenience store;
- ~~(g)~~~~(h)~~ daycare;
- ~~(h)~~~~(i)~~ drinking establishment up to 50 seats;
- ~~(i)~~~~(j)~~ drive through business;
- ~~(j)~~~~(k)~~ equipment rental;
- ~~(k)~~~~(l)~~ financial institution, including a drive-through;
- ~~(l)~~~~(m)~~ fleet service;
- ~~(m)~~~~(n)~~ funeral home;
- ~~(n)~~~~(o)~~ general retail store;
- ~~(o)~~~~(p)~~ greenhouse and plant nursery;
- ~~(p)~~~~(q)~~ grocery store;
- ~~(q)~~~~(r)~~ hotel;
- ~~(r)~~~~(s)~~ indoor recreation service;
- ~~(s)~~~~(t)~~ liquor store;
- ~~(t)~~ medical marihuana production facility (MMHF); (BL22/2014)
- (u) mini-storage;
- (v) outdoor storage;
- (w) parking lot;
- (x) religious assembly;
- (y) restaurant;

**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

- (z) take-out restaurant;
- (aa) theatre;
- (bb) transmitting station;
- (cc) wall mural;
- (dd) warehouse, with a minimum of 10 percent (10%) of the gross floor area of a warehouse use shall be developed as office, showroom, and laboratory or research area; and
- (ee) accessory developments to any use listed in (3) or (4); trailers, mobile offices, and other similar temporary structures are prohibited as an accessory use.

**(6) Performance Standards**

- (a) No primary or accessory use shall be so conducted as to cause the discharge of any harmful waste materials
  - (i) into or upon the ground;
  - (ii) into or within any sanitary or storm sewer system;
  - (iii) into or within any water system or water body; or
  - (iv) into the atmosphere.
- (b) No use or activity shall be conducted or permitted that is dangerous
  - (i) to persons or property by reason of the creation of a fire, explosion, or other physical hazard; or
  - (ii) by reason of air pollution, odour, smoke, noise, vibration, radiation or fumes.

**(7) Lot Area**

The minimum lot area is 1000 sq. m.

**(8) Building Height**

The maximum building height is 15 m.

**(9) Building Setbacks**

The minimum building setbacks shall be provided as follows:

- (a) the minimum front yard building setback is 6 m;
- (b) an interior lot serviced by a rear lane does not require a side yard building setback;
- (c) an interior lot not serviced by a rear lane requires a minimum side yard building setback of 5 m on one side of the lot to provide vehicle access to the rear of the lot;
- (d) a corner lot must provide a minimum side yard building setback of 4.5 m on the side of the lot flanking the public roadway; and

**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

- (e) the minimum rear yard building setback is 3.5 m, except where a lot is serviced by a rear lane in which case it is 6 m.

**(10) Design, Character and Appearance of Buildings**

In addition to the requirements in Section 6.7, all buildings must be finished as follows to the satisfaction of the Development Officer:

- (a) Building materials shall be appropriate for the use and for the type of structure in which they are used including;
  - (i) materials used for building exterior shall be concrete, exposed aggregate concrete, stucco, glass, brick, natural stone, wood, or metal; and
  - (ii) corrugated metal and similar materials are discouraged for use on building facades or roofs and shall not be used for facades visible from public rights-of-way.
- (b) All exterior surfaces shall have a finished treatment.
- (c) The use of two or more colours is required to enhance the building exterior and to create design accents. Building and architectural details (including flashing and downspouts) shall have a colour that complements or accents the main building.
- (d) Large expanses of uninterrupted wall planes are prohibited where visible from a street or from the boundaries of the Business Park (BP2) Direct Control district.
  - (i) The use of fascias, canopies and other multi-dimensional exterior features is encouraged in order to break up large, uniform wall surfaces;
  - (ii) Multi-dimensional features shall be in proportion to the wall heights and building mass; and
  - (iii) Landscaping may be used to address blank walls to the satisfaction of the Development Officer.
- (e) Trailers, mobile offices, and other temporary structures shall not be allowed except for use during construction.
- (f) The use of chain link fencing is prohibited where visible from a public roadway. Chain link fencing may be allowed at the discretion of the Development Officer, taking into consideration the size of the lot, use of the area to be fenced, and visibility from any adjacent roadway.

**(11) Parking and Loading Areas**

In addition to the on-site parking and loading requirements under Part 7, parking and loading areas must conform to the following requirements:

- (a) all loading docks shall be located on the interior of the site or shall be screened from the public right-of-way, residential districts and residential uses by means of a sight-obscuring screen to the satisfaction of the Development Officer;
- (b) parking will be calculated for mezzanine areas as per Part 7;

**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

- (c) parking areas shall be screened by a sight-obscuring screen on each side that is adjacent to a residential use or district and between a parking area and a public street as follows:
  - (i) screening along interior property lines shall be 1 m in height and screening along public rights-of-way shall be 1 m in height; and
  - (ii) plantings shall be coniferous and must be planted in clusters to create planting beds.
- (d) Parking facilities shall be used for temporary employee and public vehicle parking only, and not to be used for the storage of vehicles associated with the business.

**(12) Garbage and Recycling Storage**

In addition to the requirements of Section 6.11, freestanding enclosures and screening for storage bays shall be comprised of solid fencing or walls that match or complement the materials of the principal building.

**(13) Outdoor Storage**

Outdoor storage areas are allowed, subject to the following restrictions and requirements:

- (a) outdoor storage areas shall be located behind the building, to the rear of the site and not adjacent to front property lines;
- (b) outdoor storage areas shall be screened with a sight-obscuring screen at least 2 m in height;
- (c) equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and shall be no higher than the height of the sight-obscuring screen;
- (d) outdoor storage areas shall not be used to store waste or recycle materials; and
- (e) outdoor storage areas shall not be used to satisfy on-site parking area requirements.

## Section 9.22. Business Park (BP2) Direct Control Land Use District (BL38/2011)

### Summary Table – BP2 District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

	<u>With Rear Lane</u>		<b>Without Rear Lane</b>	
	Interior Lot	Corner Lot	Interior Lot	Corner Lot
<b>Min. Lot Area</b>	1000 sq. m	1000 sq. m	1000 sq. m	1000 sq. m
<b>Min. Front Yard</b>	6 m	6 m	6 m	6 m
<b>Min. Side Yard</b>	not required	Flanking public road 4.5 m	One side 5 m	Flanking public road 4.5 m
<b>Min. Rear Yard</b>	6 m	6 m	3.5 m	3.5 m
<b>Max. Building Height</b>	15m			
<b>Parking</b>	animal service artist studio catering service construction service commercial school convenience store financial institution general retail store general service health service household repair service professional office specialty store take-out restaurant		1 stall/45 sq. m	
	business support service, <a href="#">cannabis retail store</a> , liquor store, multi-use tenant building		1 stall/30 sq. m	
	community hall		1 stall/5 seats or 1 stall/20 sq. m whichever is greater	
	day care facility		4 stalls; or 1 stall/2 employees plus 1 stall/10 patrons; whichever is greater	
	chemical processing (excluding tank farms) drive-through business fleet service greenhouse and plant nursery mezzanine area public utility building transmitting station		As determined by Development Officer	
	funeral home		1 stall/5 seats plus 1 stall/funeral home vehicle	



**Section 9.22. Business Park (BP2) Direct Control Land Use District  
(BL38/2011)**

	government service	1 stall/8 seats or 1 stall/45 sq. m whichever is greater
	grocery store	1 stall/20 sq. m
	hotel	1 stall/guest room, plus additional stalls for any other uses as per Part 7 of LUB
	indoor recreation service	1 stall/5 seats fixed seats, plus 1 stall/10 sq. m for uses with no seats, plus the Development Officer requirement based on other uses
	light industrial, research and development business, research laboratory	1 stall/3 employees/max. working shift (min. 5 stalls)
	equipment rental, <del>medical marihuana production facility</del> , mini-storage, outdoor storage, warehouse, indoor storage facility	1 stall/3 employees/max. working shift plus 1 stall/90 sq. m; and the Development Officer may, at its discretion, determine the parking requirements based on a parking and transportation study required under Part 3 of this Bylaw
	drinking establishment, restaurant, theatre	1 stall/4 seats
	religious assembly	1 stall/8 seats or 1 stall/45 sq. m whichever is greater
	warehouse store	1 stall/3 employees/max. working shift plus 1 stall/50 sq. m
	parking not permitted within required setback adjacent to public roadway	

**Note**

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## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

### (1) Application

This section applies to the areas designated as Direct Control Mixed Use (DCMU) on the Land Use District Map, Schedule A of this Bylaw.

### (2) Purpose

The purpose of the Direct Control Mixed Use (DCMU) District is to provide an area for a mixture of commercial, institutional and medium to high density residential land uses. Such areas should be relatively compact, attractive, pedestrian-friendly and reasonably compatible with surrounding areas. Developments within this land use district should provide a variety of housing options, the provision of commercial and residential uses within the same structure, an appropriate ratio of non-residential uses to create a community where residents have the opportunity to live and work.

### (3) Land Uses – Council Approval

For uses that are not listed under subsection (4) or subsection (5), Council:

- (a) shall determine the land uses that may be allowed in a DCMU district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use. In determining the development regulations that may be applied, Council may refer to the DCMU or any other land use district or any part of the Land Use Bylaw.

### (4) Permitted Land Uses

Council delegates the following permitted uses for approval by the Development Officer:

- (a) apartment building;
- (b) art gallery;
- (c) business support service;
- (d) catering service with up to 3 vehicles;
- (e) communal amenity area;
- (f) convenience store;
- (g) dwelling units above a ground floor commercial use;
- (h) financial institution;
- (i) general retail store; (BL6/2016)
- (j) general service;
- (k) government service;
- (l) grocery store; (BL6/2016)
- (m) health service;
- (n) indoor recreation service;
- (o) liquor store; (BL6/2016)
- (p) live/work unit; (BL6/2016)

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

- (q) parking structure;
- (r) professional office;
- (s) residential sales centre;
- (t) restaurant up to 100 seats;
- (u) specialty store;
- (v) take-out restaurant;
- (w) shopping centre;
- (x) supportive housing;
- (y) townhousing; and
- (z) video outlet

### (5) Discretionary Land Uses

Council delegates the following discretionary uses that may be approved by the Development Officer:

- (a) amusement arcade;
- (b) artist studio; (BL14/2008)
- (c) broadcasting studio;
- ~~(d)~~ deleted (BL6/2016)
- ~~(d)~~(e) cannabis retail store;
- ~~(d)~~(f) cinema;
- ~~(e)~~(g) commercial school;
- ~~(f)~~(h) community hall with a gross floor area up to 745 sq. m;
- ~~(g)~~(i) drinking establishment;
- ~~(h)~~(j) family day home;
- ~~(i)~~(k) deleted; (BL6/2016)
- ~~(j)~~(l) deleted; (BL6/2016)
- ~~(k)~~(m) home occupation;
- ~~(l)~~(n) hotel;(BL18/2017)
- ~~(m)~~(o) household repair service;
- ~~(n)~~(p) deleted; (BL6/2016)
- ~~(o)~~(q) deleted; (BL6/2016)
- ~~(p)~~(r) pool hall;
- ~~(q)~~(s) religious assembly;
- ~~(r)~~(t) deleted; (BL6/2016)
- ~~(s)~~(u) theatre;

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## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

~~(t)~~(v) veterinary clinics without outdoor kennels, pens, runs or similar enclosures;

~~(u)~~(w) wall mural; and

~~(v)~~(x) accessory developments to any use listed in (3), (4) or (5).

### (6) Pre-Application Requirements

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within a DCMU Land Use District must submit to the satisfaction of the Development Officer:

- (a) an overall conceptual site development plan for the area designated as DCMU or, if the applicant is only developing a portion of the subject area, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as DCMU;
- (b) a traffic impact analysis that demonstrates that traffic impacts are compatible with the purpose of the DCMU District and do not prejudice safety and traffic movements with the area designated as DCMU or on adjacent public roadways;
- (c) details regarding the architectural guidelines for a development, including design drawings illustrating the colour scheme and building materials and the architectural guidelines proposed for the development; and
- (d) a building height impact assessment for any building that is proposed to exceed 15 m in building height, demonstrating to the satisfaction of the Development Officer that the impact on either adjacent buildings or adjacent property has been minimized.

### (7) Urban Design Review (BL6/2016)

There are two types of review:

- (a) External Urban Design Review

An External Urban Design Review is required for any development that:

- (i) has a total building footprint greater than 2,500 sq. m;
- (ii) is located on a Landmark Site identified in Schedule F;
- (iii) is greater than ten (10) storeys in height; or,
- (iv) in the opinion of the Development Officer is deemed to have significant impact on the subject Character Area's urban design.

This review will result in an Urban Design Review Recommendations Report from a City-designated reviewer. This Urban Design Review Recommendations Report is a requirement of the development permit application and will include recommendations from the reviewer that may range from acknowledgement of positive design qualities of the proposal to suggestions for a design that better complies with the City's policies and plans related to Downtown.

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

Applicants are expected to consider and implement, wherever possible, any recommendations of the Urban Design Review Recommendations Report into the final application.

(b) Internal Urban Design Review

If a development does not require an External Urban Design Review, but an applicant wishes to receive recommendations related to urban design, they may request an Internal Urban Design Review by Planning and Development staff prior to submission of an application. This review will result in an Urban Design Review Recommendations Report from staff designated by the Development Authority and will include recommendations that may range from acknowledgement of positive design qualities of the proposal, to suggestions for design that better comply with the City's policies and plans related to Downtown.

Applicants are expected to consider and implement, wherever possible, any recommendations of the Urban Design Review Recommendations Report into the final application.

(c) Performance Standards

In addition to the Urban Design Review Recommendations Report, all applications shall be considered with regard to the following Performance Standards:

- (i) site design contributes to streetscape and the character area;
- (ii) appropriate location of uses to support active streetscapes and fit within the character areas;
- (iii) high quality building design integrated with streetscape and surrounding buildings;
- (iv) pedestrian orientation; and
- (v) well-designed amenity areas.

### (8) Floor Area (BL6/2016)

- (a) The maximum gross floor area for any building is 3.21 times the site area. In determining this calculation, the Development Officer may consider the total site area for multiple sites that comprise an integrated, mixed use development inclusive of public roadways conveyed to the City; and
- (b) a minimum of 25% of the total gross floor area shall be used for commercial (non-residential) purposes. In determining this calculation, the Development Officer may consider the total commercial gross floor area for all buildings on multiple sites that comprise an integrated, mixed use development. **(BL17-2017)**
- (c) Notwithstanding clause (b), a minimum of 11.6% of the total gross floor area shall be used for commercial (non-residential) purposes for the following properties:

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

- (i) Lot 67, Block 1, Plan 152 4029 (5 St. Louis Street);
- (ii) Lot 68, Block 1, Plan 152 4029 (4 St. Louis Street); and
- (iii) Lot 69, Block 1, Plan 152 4029 (22 Sir Winston Churchill Avenue).

including any future revisions to these legal descriptions based on a subdivision or condominium plan. **(BL17-2017)**

### (9) Building Height (BL6/2016)

- (a) The maximum building height is 25 m. **(BL17-2017)**
- (b) Notwithstanding clause (a), the building heights for parcels located within the Downtown Area Redevelopment Plan area are subject to the minimum and maximum building heights defined in the Downtown Area Redevelopment Plan Bylaw 5/2010 as amended. **(BL17-2017)**
- (c) Notwithstanding clause (b), the maximum building heights shown in Schedule F of this Bylaw shall apply to the following properties:
  - (i) Lot 67, Block 1, Plan 152 4029 (5 St. Louis Street);
  - (ii) Lot 68, Block 1, Plan 152 4029 (4 St. Louis Street); and
  - (iii) Lot 69, Block 1, Plan 152 4029 (22 Sir Winston Churchill Avenue).

including any future revisions to these legal descriptions based on a subdivision or condominium plan.

### (10) Location of Buildings (BL6/2016)

The minimum separation distances for buildings are:

- (a) 10 m between the exterior wall of an apartment building and any other residential building; and
- (b) where greater separation distances are required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

### (11) Building Setbacks

The minimum building setbacks shall be provided as follows:

- (a) the front and rear yard building setback shall be determined by the Development Officer with regard to adjacent uses, urban design considerations and on-site constraints;

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

- (b) the minimum side yard building setback is 5 m, unless otherwise determined by the Development Officer taking into account adjacent uses, urban design considerations and on-site constraints;
- (c) the minimum setback for an accessory building is 3 m; and
- (d) where a larger setback is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

### (12) Design, Character and Appearance of Buildings

In addition to the requirements of Section 6.7 of this Bylaw, the Development Officer may require that a building or buildings be designed and finished with one or more of the following:

- (a) design techniques including but not limited to, the use of variations in building setbacks, and articulation of building facades in order to create architectural interest, to provide a unified building exterior, and to minimize the perceived mass and linearity of buildings;
- (b) the establishment of a common architectural theme for a development including principal design elements, finishing materials, colours and roof style;
- (c) the use of high quality materials on the exterior including brick, brick veneer or other high quality finish of a colour acceptable to the Development Officer;
- (d) the use of a setback for the second or higher storey along a façade facing a public roadway; and
- (e) the use of clear glazing on the ground floor to facilitate pedestrian interaction and safety.

### (13) Residential Development

Residential development:

- (a) must provide a private amenity area in the form of a balcony or patio for dwelling units within an apartment building;
- (b) within a mixed use building must not be located below any storey used for commercial purposes;
- (c) within a mixed use building must have an entrance separate from the entrance to any commercial component of the building; and
- (d) all townhousing developments in a DCMU district must comply with the following requirements for development in the R3A District: **(BL16/2016)**
  - (i) lot area;
  - (ii) lot frontage;
  - (iii) lot depth;
  - (iv) landscaping;
  - (v) lot coverage;



## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

- (vi) building height; and
- (vii) private amenity area and setbacks.
- (e) building height for townhousing developments within the Downtown Area Redevelopment Plan (DARP), must comply with Section 10.6(9).  
(BL16/2016)

### (14) Overhead Weather Protection (BL6/2016)

- (a) Continuous weather protection is encouraged along building frontages with retail uses at grade, and at residential lobbies or unit entrances at grade where practical.
- (b) Commercial and mixed-use buildings will provide overhead weather protection in a method suitable to the architectural style and function of the building to the satisfaction of the Development Officer, having regard for the following:
  - (i) provision of weather protection at pedestrian entrances;
  - (ii) weather protection provided at a height and depth to provide sufficient protection; and
  - (iii) location of weather protection to allow for signage and wayfinding.

### (15) Landscaping and Communal Amenity Areas

Developments shall be subject to the following requirements:

- (a) a development that adjoins a public roadway shall provide perimeter landscaping in accordance with Section 6.13(7). For residential buildings located adjacent to a public roadway, the perimeter landscaping shall be increased to a minimum width of 6 m;
  - (i) Notwithstanding 10.6.(15)(a) properties built to the property line are exempt from the perimeter landscaping requirement, however will be required to provide planters, hanging baskets and other landscaping items in consultation with Engineering Services. (BL6/2016)
- (b) parking lots with more than 10 parking stalls shall be landscaped in accordance with Section 6.13(6);
- (c) a building that includes 40 or more dwelling units must provide an indoor or outdoor communal amenity area for the benefit of the residents of the building, to the satisfaction of the Development Officer; and
- (d) for developments containing 3 or more buildings, an outdoor communal amenity area of not less than 100 square metres must be provided for residents and patrons of the development, to the satisfaction of the Development Officer in accordance with following:

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

- (i) the amenity area may include seating areas, raised gardens, courtyards and recreational areas;
- (ii) the amenity area may include a plaza or focal point;
- (iii) the amenity area may include such elements as street furnishings, hard surfacing, plantings, amenities, art and sculpture and architectural features to create a strong sense of communal gathering space. The amenity area must also provide for an area of overhead weather protection as a portion of the amenity area; (BL6/2016)
- (iv) the amenity area must have convenient pedestrian connections and provide for barrier free access; and
- (v) the amenity area must be located within 50 metres of the development it is required for. (BL6/2016)

### (16) Vehicular and Pedestrian Circulation

In addition to the requirements of Sections 6.9 and 6.23 of this Bylaw, the following applies:

- (a) in making a determination about the design of on-site motor vehicle and pedestrian circulation within the DCMU District, the Development Officer must ensure that motor vehicle and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both vehicles and pedestrians, including barrier-free routes. Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and minimize impacts on adjacent land uses.
- (b) In addition to Section 9.9 of this Bylaw, the Development Officer may impose whatever conditions the Development Officer considers necessary in order to require that the applicant:
  - (i) provide connections to parking areas, and to public rights-of way adjoining a development for access to transit, services and amenities;
  - (ii) provide pedestrian access to ensure a development is integrated with a surrounding area;
  - (iii) provide pedestrian walkways along storefronts which have doors or similar openings;
  - (iv) separate pedestrian movements and motor vehicle traffic by delineating crosswalks with special paving or, where possible, raising crosswalks; and
  - (v) construct and maintain the pedestrian walkways for use by the public.

## Section 10.6 Direct Control Mixed Use (DCMU) Land Use District

(BL42/2005)

### Summary Table - DCMU District

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Floor Area</b>	Max. is 3.21 x site area Min. 25% of total gross floor area must be commercial	
<b>Max. Building Height</b>	25 m	
<b>Min. Front Yard</b>	Development Officer discretion	
<b>Min. Side Yard</b>	5 m unless otherwise determined by the Development Officer	
<b>Min. Rear Yard</b>	Development Officer discretion	
<b>Building Location</b>	10 m Min. separation between the exterior wall of an apartment building and any other residential building	
<b>Parking</b>	business support service, <u>cannabis retail store</u> , catering service, commercial school, convenience store, financial institution, general retail store, general service, health service, household repair service, liquor store, professional service, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m
	art gallery, amusement arcade, broadcasting studio, pool hall, residential sales centre	as determined by Development Officer
	cinema, theatre	1 stall/10 seats
	community hall	1 stall/5 seats or 1 stall/20 sq. m; whichever is greater
	drinking establishment, restaurant	1 stall/6 seats
	family day home	4 stalls or 1 stall/2 employees + 1 stall/10 patrons, whichever is greater
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m, whichever is greater
	grocery store	1 stall/20 sq. m
	hotel	1 stall/guest room
	indoor recreation service	(see text in Section 7.3)

**Section 10.6 Direct Control Mixed Use (DCMU) Land Use District**

(BL42/2005)

	shopping centre	1 stall/30 sq. m
	bachelor unit	1 stall/unit
	1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	supportive housing	(see text in Section 7.3)
	townhousing	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling units (for supportive housing and townhousing, see text in Section 7.3)

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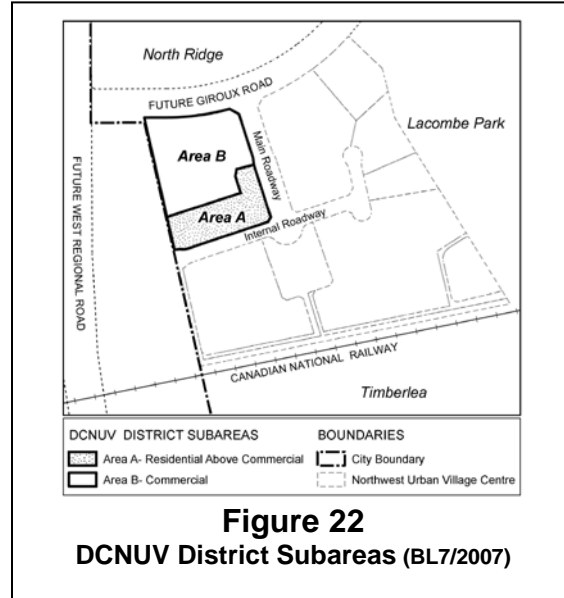
## Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District (BL32/2006)

### (1) Application

This section applies to the areas designated as Direct Control Northwest Urban Village (DCNUV) on the Land Use District Map, Schedule A of this Land Use Bylaw. The area designated as DCNUV District encompasses Area A – commercial, and the option of dwelling units above ground floor commercial and Area B – commercial, as identified in Figure 22.

### (2) Purpose

The purpose of the DCNUV District is to provide a complementary mix of land uses to transition between the DCMU District in the Northwest Urban Village Centre and the West Regional Road and North Ridge neighbourhoods. The DCNUV District implements the principles of an Urban Village development by locating complementary land uses within a convenient walking distance, thus, reducing the dependency on the automobile. The area should be efficient, attractive, pedestrian-friendly and provide a mix of land uses that are reasonably compatible with surrounding areas. Commercial developments within this land use district should provide a range of commercial uses geared to accommodate adjacent residential needs. The residential dwelling units located above commercial uses provide a higher density of housing with options in design and tenure.



### (3) Land Uses – Council Approval

For uses that are not listed under subsection (4) or subsection (5), Council:

- (a) shall determine the land uses that may be allowed in a DCNUV district; and
- (b) may impose such standards and conditions it considers appropriate to regulate that use. In determining the development regulations that may be applied, Council may refer to the DCNUV or any other land use district or any part of the Land Use Bylaw.

### (4) Permitted Land Uses

Council delegates the following permitted uses for approval by the Development Officer:

- (a) art gallery;
- (b) business support service;
- (c) communal amenity area;
- (d) convenience store;

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District**  
(BL32/2006)

- (e) dwelling units above ground floor commercial in Area A as per Figure 22;
- (f) financial institution;
- (g) general retail store with a gross floor area up to 400 sq. m;
- (h) general service;
- (i) government service;
- (j) grocery store with a gross floor area up to 4,180 sq. m;
- (k) health service;
- (l) professional office;
- (m) restaurant up to 100 seats;
- (n) shopping centre;
- (o) specialty store;
- (p) take-out restaurant; and
- (q) video outlet.

**(5) Discretionary Land Uses**

Council delegates the following discretionary uses that may be approved by the Development Officer:

- (a) amusement arcade;
- (b) artist studio; **(BL14/2008)**

**(c) cannabis retail store;**

- ~~(de)~~ car wash;
- ~~(ed)~~ cinema;
- ~~(fe)~~ commercial school;
- ~~(gf)~~ community hall with a gross floor area up to 745 sq. m;
- ~~(hg)~~ day care facility;
- ~~(ih)~~ drinking establishment;
- ~~(ji)~~ family day home;



**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District**  
**(BL32/2006)**

- (kj) gas bar;
- (lk) general retail store with a gross floor area over 400 sq. m;
- (ml) grocery store with gross floor area over 4,180 sq. m;
- (nm) home occupation;
- (op) hotel with up to 60 units;
- (pe) household repair service;
- (qp) indoor recreation service;
- (rq) liquor store;
- (sf) live/work unit; **(BL14/2008)**
- (ts) outdoor display;
- (ut) parking structure;
- (vu) public utility building;
- (ww) religious assembly;
- (xw) restaurant with over 100 seats;
- (yx) theatre;
- (zy) veterinary clinics without outdoor kennels, pens, runs or similar enclosures;
- (aaz) wall mural; and
- (bbaa) accessory developments to any use listed in (3), (4) or (5).

**(6) Pre-Application Requirements**

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within the DCNUV Land Use District must submit to the satisfaction of the Development Officer:

- (a) An overall conceptual site development plan for:
  - (i) the area designated as DCNUV; or
  - (ii) if the applicant is only developing a portion of the subject area, a site development plan in relation to the portion to be developed in which plan the applicant has also illustrated how the development will be integrated with the area designated as DCNUV.

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land  
(BL32/2006) Use District**

The overall conceptual site development plan must identify the proposed building types and locations, development phasing, vehicular and pedestrian routes, and amenity areas in accordance with the purpose of this District.

- (b) A traffic impact analysis may be requested that demonstrates that traffic impacts are compatible with the purpose of the DCNUV District and do not prejudice safety and traffic movements with the area designated as DCNUV or on adjacent public roadways.
- (c) Details regarding the architectural guidelines for a development, including design drawings illustrating the colour scheme and building materials that incorporate the architectural guidelines proposed for the overall conceptual site development. All structures shall adhere to the architectural guidelines for the overall Urban Village regardless of the national corporate standards that may govern certain businesses.
- (d) A building height impact assessment for any building that is proposed to exceed 15 m in building height, demonstrating to the satisfaction of the Development Officer that the impact on either surrounding buildings or surrounding properties has been minimized.

**(7) Floor Area**

The maximum gross floor area for any building or combination of buildings on a site is up to three (3) times the site area.

**(8) Building Height**

The maximum building height is 15 m, or at the discretion of the Development Officer subject to Section 10.7(6)(d).

**(9) Building Orientation and Setbacks**

- (a) Buildings located adjacent to the main roadway or internal roadway shall adhere to the following (Figure 22):
  - (i) all buildings adjacent to the street shall be oriented toward the street;
  - (ii) the first and second storeys shall be developed to the front and side property lines;
  - (iii) notwithstanding subsection (ii), a minor setback of a recessed entrance, rest area, courtyard, shopping court, outdoor cafe, building recess, recessed arcade, mid-block pedestrian path or similar amenity may be allowed where, in the opinion of the Development Officer:
    - (A) the design of the building frontage maintains the continuity of the street frontage with adjoining developments, and
    - (B) pedestrian amenity is maintained;

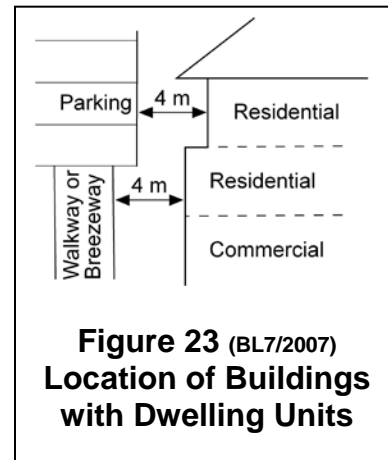
**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District**  
(BL32/2006)

- (iv) rear yard setbacks shall be determined by the Development Officer with regard to adjacent uses, urban design considerations and on-site constraints; and
- (b) All building setbacks from Giroux Road and the West Regional Road must be a minimum of 7 m from the property line.
- (c) All other setbacks not addressed in subsections (a) and (b) shall be determined by the Development Officer.
- (d) Where a larger setback is required in accordance with the Alberta Building Code or the Alberta Fire Code, the distances required by the Alberta Building Code or the Alberta Fire Code prevail.

**(10) Location of Buildings with Dwelling Units**

The minimum separation distances for buildings are 4 m between the exterior wall of each dwelling unit above a commercial use to: (Figure 23)

- (i) a common walkway;
- (ii) a breezeway;
- (iii) a roadway or drive aisle;
- (iv) a parking stall; or
- (v) a communal amenity area.



**(11) Design, Character and Appearance of Buildings**

In addition to the requirements of Section 6.7 of this Bylaw, the Development Officer may require that a building or buildings be designed and finished with one or more of the following:

- (a) design techniques including but not limited to, the use of variations in sloped roofs, building setbacks, and articulation of building facades in order to create architectural interest, to provide a unified building exterior, and to minimize the perceived mass and linearity of buildings;
- (b) the establishment of a common architectural theme for the development including principal design elements, finishing materials, colours and roof style. The exterior wall finish must be uniform around all sides of the building;
- (c) the use of high quality materials on the exterior including brick, brick veneer or other high quality finish of a colour acceptable to the Development Officer;
- (d) the use of a stepback for the third or higher storey along a façade facing a public roadway;

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land  
(BL32/2006) Use District**

- (e) the use of clear glazing on the ground floor to facilitate pedestrian interaction and safety;
- (f) in addition to the requirements of Section 6.11 and 6.16 of this Bylaw, the screening of outdoor storage and refuse and recycle areas taking into consideration the view from the adjacent district and public roadway; and
- (g) the incorporation of design features that will create a pedestrian friendly environment for building facades that front onto a pedestrian walkway, including:
  - (i) multiple and varied street entrances providing direct access to the sidewalk; and
  - (ii) architectural features and street furniture that strengthen the image of the businesses along the street.

**(12) Design of Public Entrances**

All developments must have a primary public entrance adjoining a public sidewalk that is recessed as follows:

- (a) for an interior lot, the width of the recessed area as measured along the property line must be a minimum of 2 m, and the depth must be a minimum of 1 m measured from the principal building facade to the nearest property line; and
- (b) a recessed entrance is not required where a corner setback, building recess or recessed arcade, or similar element satisfies the dimensions specified in subsection (a).

**(13) Residential Development**

Residential development is only permitted in areas detailed in Figure 22 and must:

- (a) be located above commercial;
- (b) provide a private amenity area, such as a balcony;
- (c) in a mixed use building, have an entrance separate from the entrance to any commercial component of the building; and
- (d) maintain the continuity of the street frontage with adjoining developments.

**(14) Overhead Weather Protection**

Developments shall be subject to the following requirements:

- (a) commercial buildings and mixed use buildings must have continuous overhead weather protection for the entire building frontage along a pedestrian walkway in a method suitable to the architectural style of the buildings in Area A of Figure 22 and as determined by the Development Officer; and

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land  
(BL32/2006) Use District**

- (b) commercial buildings in Area B of Figure 22 may have a continuous weather overhead weather protection for pedestrian walkways in a method suitable to the architectural style of the building and as determined by the Development Officer; and
- (c) overhead weather protection must be at least 2.0 m wide and must have a vertical clearance of at least 2.5 m and at most 4.0 m above the sidewalk, unless otherwise determined by the Development Officer.

**(15) Landscaping and Communal Amenity Areas**

In addition to Section 6.13, the following landscaping standards apply:

- (a) Any parking lot within Area A or B having more than 10 stalls which are visible from an adjoining residential district or public roadway must have perimeter landscaping between the parking area and the front property line as determined by the Development Officer. Perimeter landscaping in conjunction with other man-made features must provide substantial interruption of the view of the parking area to a minimum height of 1.0 m and must be provided by means of:
  - (i) intermittent screen fencing and landscaping; or
  - (ii) undulated berming and landscaping; or
  - (iii) a continuous landscape screen.
- (b) All minimum required yards must be landscaped. Within required yards, trees must be planted in an overall ratio of 1 tree per 75 sq. m of landscape area to enhance development and provide a visual buffer for adjacent residential uses. Wherever space permits, trees must be planted in groups and groupings must be dispersed within the site. Coniferous trees must comprise a minimum proportion of 40% of all trees planted.
- (c) Notwithstanding clause (b), only deciduous trees must be employed in landscaping of interior parking lots.
- (d) Foundation plantings must be incorporated along Giroux Road and the West Regional Road and shall consist of shrubs and deciduous trees grouped, where appropriate, in clusters every 6 m along the building frontage to enhance development and act as a visual buffer. (Figure 21)
- (e) Foundation plantings may be allowed within a required yard to a maximum of 1.0 m, provided that a minimum setback of 2.0 m is maintained between the internal road or property line and the planting.
- (f) a building that includes 40 or more dwelling units must provide an indoor or outdoor communal amenity area for the benefit of the residents of the building, to the satisfaction of the Development Officer;

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land  
(BL32/2006) Use District**

- (i) the amenity area may include meeting room with kitchen, indoor gym, workshop, seating/reading area, raised gardens, roof top courtyards or recreational areas; and
- (ii) the amenity area must be barrier free access.

**(16) Vehicular and Pedestrian Circulation**

In addition to the requirements of Sections 6.23 and 9.9 of this Bylaw, the following applies:

- (a) In making a determination about the design of on-site motor vehicle and pedestrian circulation within the DCNUV District, the Development Officer will ensure that motor vehicle and pedestrian routes are located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both vehicles and pedestrians, including barrier-free routes.
- (b) Loading bays must be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and minimize impacts on adjacent land uses.
- (c) The Development Officer may impose conditions necessary to ensure:
  - (i) pedestrian connections to parking areas, and to public rights-of way adjoining a development for access to transit, services and amenities;
  - (ii) pedestrian access integrating a development with the surrounding area;
  - (iii) pedestrian walkways along storefronts which have doors or similar openings;
  - (iv) separated pedestrian and motor vehicle traffic by delineating crosswalks using special paving or, where possible, raising crosswalks; and
  - (v) construction and maintenance of pedestrian walkways for use by the public.

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District**  
(BL32/2006)

**Summary Table - DCNUV District**

Summary tables are provided for reader convenience only and do not form part of this Bylaw. For any discrepancies between the following table and any other section of this Bylaw the latter shall govern.

<b>Floor Area</b>	Maximum floor area up to three times the site area.	
<b>Building Height</b>	15 m	
<b>Setback to Arterials</b>	7 m setback from property line adjacent to Giroux Road and West Regional Road	
<b>Setbacks for Main Street and Internal Street</b>	0' front and side property lines	
	Rear yard setbacks to be determined by Development Officer	
<b>All Other Setbacks</b>	All other setbacks to be determined by Development Officer	
<b>Location of Buildings with Dwelling Units</b>	The minimum separation distance for buildings are 4 m between the exterior wall of each dwelling unit to a common walkway, a breezeway, a roadway or drive aisle, a parking stall or a communal amenity area.	
<b>Parking</b>	art gallery, amusement arcade, public utility building	as required by Development Officer
	business support service, <u>cannabis retail store</u> , liquor store	1 stall/30sq.m of gross floor area
	cinema, theatre	1 stall/4 seats
	commercial school, convenience store, financial institution, general retail store, general service, health service, household repair service, professional office, specialty store, take-out restaurant, veterinary clinic, video outlet	1 stall/45 sq. m of gross floor area
	community hall	1 stall/5 seats or 1 stall/20 sq. m of gross floor area, whichever is greater
	day care facility, family day home	4 stalls; or 1 stall/2 employees plus 1 stall/10 patrons, whichever is greater
	drinking establishment, restaurant	1 stall/4 seats
	government service, religious assembly	1 stall/8 seats or 1 stall/45 sq. m of gross floor area, whichever is greater;
	grocery store	1 stall/20 sq m of gross floor area

**Section 10.7. Direct Control Northwest Urban Village (DCNUV) Land Use District**  
(BL32/2006)

	hotel	1 stall/guest room, plus additional stalls in accordance with the parking requirements for any other uses which form part of the hotel
	indoor recreation service	1 stall/5 seats for areas with fixed seating, plus 1 stall/10 sq m of gross floor area for uses without fixed seating; and the Development Officer may require additional or differing parking requirements based upon the individual components of the recreation service
	shopping centre	1 stall/30 sq. m of gross floor area and see Part 7 (3a) for additional requirements on specific uses within a shopping centre
	bachelor unit	1 stall/unit
	1 bedroom unit	1 stall/unit
	2 bedroom unit	1.5 stalls/unit
	3+ bedroom unit	2 stalls/unit
	residential use visitor parking	1 stall/5 dwelling units



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## 11.1 Downtown

### (1) Application

This section applies to the areas designated as Downtown District (DT) as identified in Schedule A of this Bylaw, and Figure 23(a).

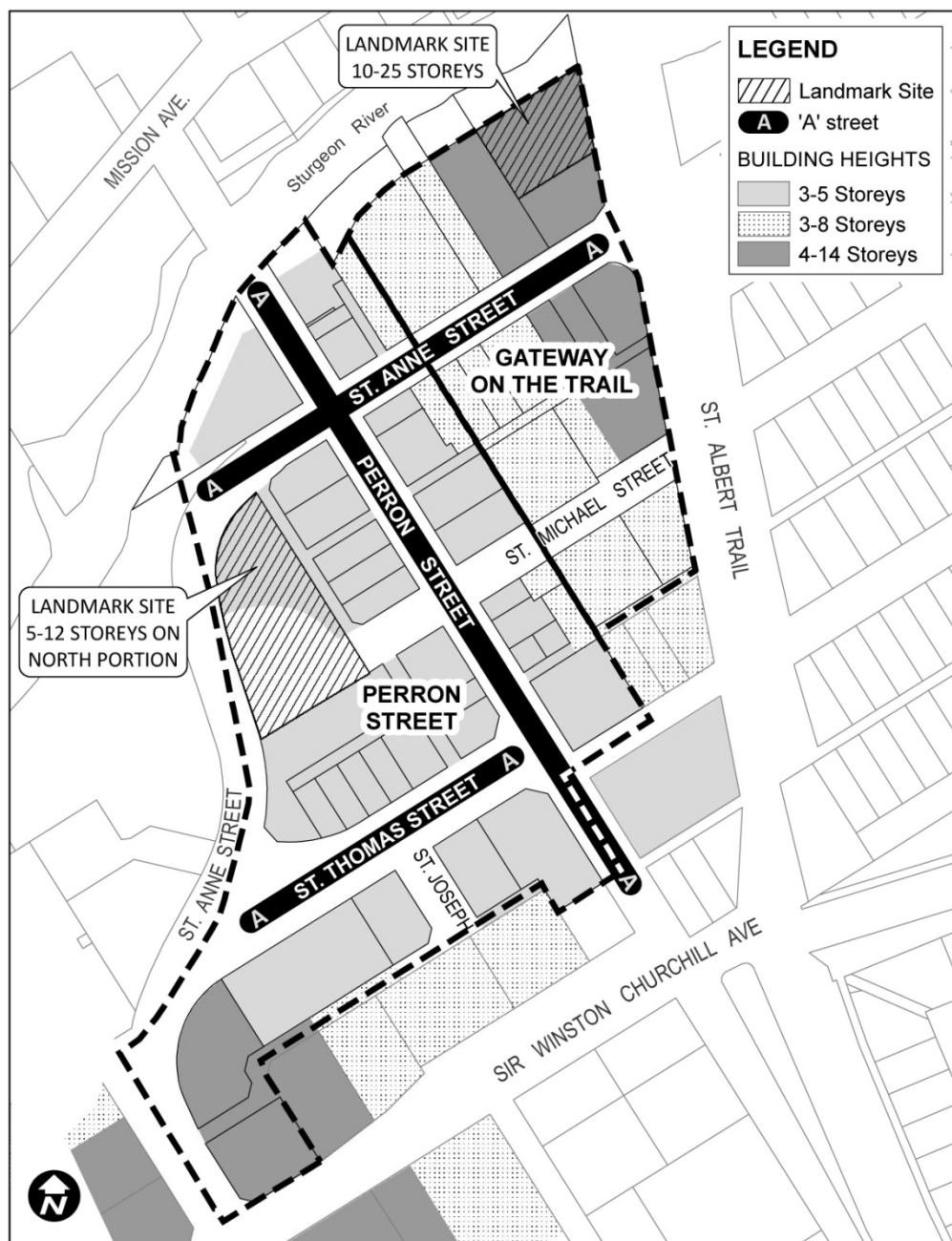


Figure 23 (a): Downtown District Perron Street and Gateway on the Trail Character Areas Identified.

**(2) Purpose**

The purpose is to provide for a vibrant downtown that includes a mixture of employment opportunities, commercial, institutional, government and medium to high-density residential land uses with a focus on high-quality design of any development including the public realm. Development in the Downtown should be compact, attractive, pedestrian-friendly and compatible with surrounding areas, and be a unique, recognizable neighbourhood. Developments within this land use district should provide a variety of housing options, the provision of commercial and residential uses within the same structure, and an appropriate mix of uses to create a community where residents have the opportunity to live, work and play.

For marketing purposes, the Downtown District will be referred to as the Perron District.

To facilitate this, character areas are defined in accordance with the Downtown Area Redevelopment Plan (DARP) as shown on Figure 23(a). The transition between these character areas is expected to be seamless, and not a defined hard line. The character areas include:

**(a) Perron Street**

The Perron Street character area will provide the primary area for active street level commercial retail uses with moderately scaled buildings characterized by continuous storefront retail and pedestrian-oriented development.

**(b) Gateway on the Trail**

The Gateway on the Trail character area will provide an area for active street level uses and a wide array of uses including residential, professional office, and commercial uses that are of a scale and density appropriate to its prominent location along, or adjacent to, St. Albert Trail and its role as the primary entry point and gateway to Downtown.

**(3) Permitted and Discretionary Land Uses**

For a use to be considered either a permitted or discretionary use in the DT, it must conform with all subsections of Section 11.1 (3). In addition, the general regulations of Part 6, Sections 8.1 through 8.19, and Sections 9.1 through 9.11 will apply to the Downtown District unless otherwise specified in this District.

**(a) Ground Storey**

- (i) on 'A' streets as shown on Figure 23(a), ground storeys shall house non-residential uses, with active retail uses preferred adjacent to the street.
- (ii) the ground storey of buildings that have building frontages facing the river shall house non-residential uses, with active retail uses preferred.
- (iii) for discretionary uses on the ground storey along 'A' streets, the Development Officer will consider:
  - (A) interface and interaction of the proposed use with the streetscape; and
  - (B) generation of and attraction for pedestrians.

**(b) Upper Storeys**

- (i) no non-residential use is permitted above a residential use.

(c) Uses, whether permitted (p) or discretionary (d), shall be in accordance with the following tables:

(i) Non-Residential Uses

Use Categories	Perron character area	Gateway character area
a. art gallery	(p)	(p)
b. artist studio	(d)	(d)
c. business support service	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>d.</del> <u>cannabis retail store</u>	(d)	(d)
<del>e.</del> <u>cinema</u>	(p)	(p)
<del>e-f.</del> <u>community hall</u>	(d)	(d)
<del>f-g.</del> <u>convenience store</u>	(d)	(p)
<del>g-h.</del> <u>day care facility</u>	(d)	(d)
<del>h-i.</del> <u>drinking establishment</u>	(d)	(d)
<del>i-j.</del> <u>financial institution</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>j-k.</del> <u>general retail store with a gross floor area up to 400 sq.m</u>	(p)	(p)
<del>k-l.</del> <u>general retail store with a gross floor area over 400 sq.m</u>	(d)	(d)
<del>l-m.</del> <u>general service;</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>m-n.</del> <u>government service</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>n-o.</del> <u>grocery store</u>	(d)	(d)
<del>o-p.</del> <u>health service</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>p-q.</del> <u>hotel</u>	(d)	(p)
<del>q-r.</del> <u>household repair service</u>	(d)	(d)
<del>r-s.</del> <u>indoor recreation service</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>s-t.</del> <u>liquor store</u>	(d)	(d)
<del>t-u.</del> <u>pool hall</u>	(d) ground storey, otherwise (p)	(d) ground storey, otherwise (p)
<del>u-v.</del> <u>professional office</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>v-w.</del> <u>public utility building</u>	(d)	(d)
<del>w-x.</del> <u>residential sales centre</u>	(d) for ground storey on 'A' streets, otherwise (p)	(p)
<del>x-y.</del> <u>religious assembly</u>	(d)	(d)
<del>y-z.</del> <u>restaurant</u>	(p)	(p)
<del>z-aa.</del> <u>school, commercial</u>	(d) for ground storey on 'A' streets, otherwise (p)	(d) for ground storey on 'A' streets, otherwise (p)
<del>aa-bb.</del> <u>shopping centre</u>	(d)	(d)
<del>bb-cc.</del> <u>specialty store</u>	(p)	(p)
<del>cc-dd.</del> <u>take-out restaurant</u>	(p)	(p)
<del>dd-ee.</del> <u>theatre</u>	(p)	(p)
<del>ee-ff.</del> <u>veterinary clinics without outdoor kennels, pens, runs, or other similar enclosures</u>	(d)	(d)



(ii) Residential Uses

Use Categories	Perron character area	Gateway character area
a. apartment building	-	(d)
b. dwelling unit	(p) above ground storey	(p) above ground storey
c. family day home	(p) except on ground storey on 'A' streets	(d) on ground storey, otherwise (p)
d. home occupation	(p) except on ground storey on 'A' streets	(d) on ground storey, otherwise (p)
e. live / work unit (BL 14/2008)	(d)	(d)
f. townhousing	(d)	(d)
g. mixed use building, all uses with in the building must meet requirements of 11.1(3).	(p)	(p)
h. supportive housing	(p) except on ground storey on 'A' streets	(p) except on ground storey on 'A' streets
i. long term care housing	(p) except on ground storey on 'A' streets	(p) except on ground storey on 'A' streets

(iii) Other

Use Categories	Perron character area	Gateway character area
a. parking lot at finished grade	Not permitted on 'A' Streets, otherwise (d)	(d)
b. parking structure	(d), if on 'A' street, must have ground storey non-residential uses in accordance with Section 11.15 (3)	(d)
c. bicycle parking	(p)	(p)
d. park	(p)	(p)
e. plaza	(p)	(p)
f. wall mural	(d)	(d)
g. accessory development to a use listed in (i), (ii) or (iii)	(d)	(d)

**(4) Pre-Application Requirements**

In addition to the application requirements of Section 3.3 of this Bylaw, an applicant for development permit within the DT Land Use District must submit to the satisfaction of the Development Officer:

- (a) A conceptual site development plan showing the subject area and adjacent areas within the DT district as well as the proposed building types and locations, development

phasing, vehicular and pedestrian routes and connectivity with the rest of Downtown, and amenity areas in accordance with the purpose of this District;

- (b) Design drawings illustrating the colour scheme and building materials in accordance with Section 11.1 (8);
- (c) Elevation drawings demonstrating how the building contributes to the streetscape;
- (d) *Urban Design Recommendations Report* as per Section 11.1 (5); and
- (e) Any other studies that may be requested by the Development Officer including but not limited to:
  - (i) Crime Prevention Through Environmental Design (CPTED) study to be submitted at the time of a development permit application;
  - (ii) sun/shadow and/or wind study for buildings greater than eight (8) storeys in height; or
  - (iii) geotechnical report.

## **(5) Urban Design Review**

There are two types of reviews:

### **(a) External Urban Design Review**

An External Urban Design Review is required for any development that:

- (i) has a total building footprint greater than 2,500 sq. m;
- (ii) is located on a Landmark Site identified in Figure 23(a);
- (iii) is located on a corner;
- (iv) is greater than eight (8) storeys in height; or
- (v) in the opinion of the Development Officer is deemed to have significant impact on the subject Character Area's urban design.

This review will result in an *Urban Design Recommendations Report* from a City-designated reviewer. This *Urban Design Recommendations Report* is a requirement of the development permit application and will include recommendations from the reviewer that may range from acknowledgement of positive design qualities of the proposal to suggestions for a design that better complies with the City's policies and plans related to downtown.

Applicants are expected to consider and implement, wherever possible, any recommendations of the *Urban Design Recommendations Report* into the final application.

### **(b) Internal Urban Design Review**

If a development does not require an External Urban Design Review, but an applicant wishes to receive recommendations related to urban design, they may request an Internal Urban Design Review by Planning and Development staff prior to submission of an application. This review will result in an *Urban Design Recommendations Report* from staff designated by the Development Authority and will include recommendations that may range from acknowledgement of positive design qualities of the proposal, to suggestions for design that better complies with the City's policies and plans related to downtown.



Applicants are expected to consider and implement, wherever possible, any recommendations of the *Urban Design Review Recommendations Report* into the final application.

**(c) Performance Standards**

In addition to the *Urban Design Review Recommendations Report* all applications shall be considered with regard to the following Performance Standards:

- (i) site design contributes to streetscape and the character area;
- (ii) appropriate location of uses to support active streetscapes and fit within the character areas;
- (iii) high quality building design integrated with streetscape and surrounding buildings;
- (iv) pedestrian orientation; and
- (v) well-designed amenity areas.

**(6) Development Regulations**

**(a) Building Height**

Notwithstanding Section 1.8, the height of any principal building in this District is measured in storeys.

- (i) notwithstanding Section 3.14, building height regulations differing from those outlined in Figure 23(a) may be considered by the Development Officer with consideration for the transitions between adjacent building designs and heights fitting with the street interaction, adjacent uses, streetscape and design methodology;
- (ii) buildings shall have a minimum of three (3) storeys from grade before front stepbacks are introduced. Front stepbacks shall be a minimum of 3 m measured from the building frontage of the lower storeys. Additional front stepbacks may be required at higher storeys if, in the opinion of the Development Officer, it is necessary to enhance the pedestrian scale of the streetscape or to mitigate wind, sun or shadow impacts;
- (iii) any pedestal portion of the building shall be three (3) storeys. If in the opinion of the Development Officer, the building design addresses the Performance Standards of Section 11.1 (5)(c), that may be increased to five (5) storeys;
- (iv) a minimum separation distance of 25 m is required between tower components of buildings above three storeys on adjacent lots, measured from building frontage as measured at the first storey above the pedestal;
- (v) antennas installed on the roof of buildings will be counted as a part of the total building or structure height; and
- (vi) telecommunications installations shall be in compliance with Section 6.24.

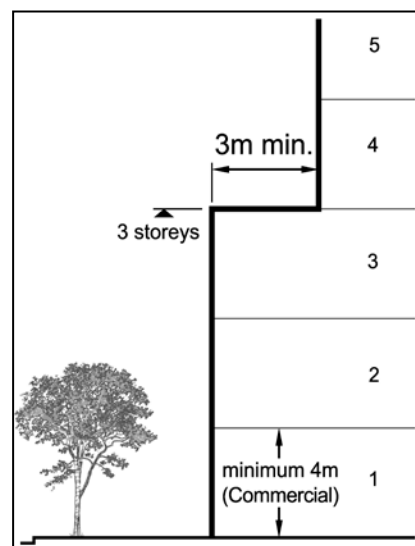


Figure 23(b): Building heights and stepbacks.

**(b) Ground Storey Height: Commercial Uses**

The ground storey height shall be a minimum of 4 m floor-to-floor height.

## (7) Site Design Standards

### (a) **Building Frontage**

- (i) buildings located on a corner shall comply with Section 6.6 (c);
- (ii) the build-to line shall be the front property line. The build-to line may be adjusted, up to 3 m back from the front property line, to accommodate a recessed entrance, rest area, courtyard, outdoor cafe, communal amenity space, building recess or similar amenity if, in the opinion of the Development Officer:
  - (A) the design of the building frontage and build-to line maintains the continuity of the streetscape;
  - (B) pedestrian amenity is maintained; and
  - (C) recessed entrances comply with Section 11.1 (8)(b).
- (iii) on each lot, the first three (3) storeys of a building frontage shall be built to a consistent build-to line for at least 80% of the required building frontage width. This may be reduced if, in the opinion of the Development Officer, the proposed development of the building frontage:
  - (A) accommodates a courtyard or plaza that is pedestrian oriented;
  - (B) is designed in such a way as to enhance and maintain the continuity of the streetscape and adjacent development;
  - (C) is landscaped in accordance with Section 6.13 and enhances and maintains the continuity of the streetscape to the satisfaction of the Development Officer; and
  - (D) site plan is designed and buildings are sited to maximize streetscape and pedestrian continuity and vehicle flow.
- (iv) a street wall or fence, (not less than 1 m or more than 2 m in height), or landscaping to the satisfaction of the Development Officer, is required along the build-to line for any lot that is not occupied by a principal building. The height of the wall or fence shall be measured from the lowest point of the adjacent public sidewalk. The location of any build-to line will be determined by existing adjacent buildings.

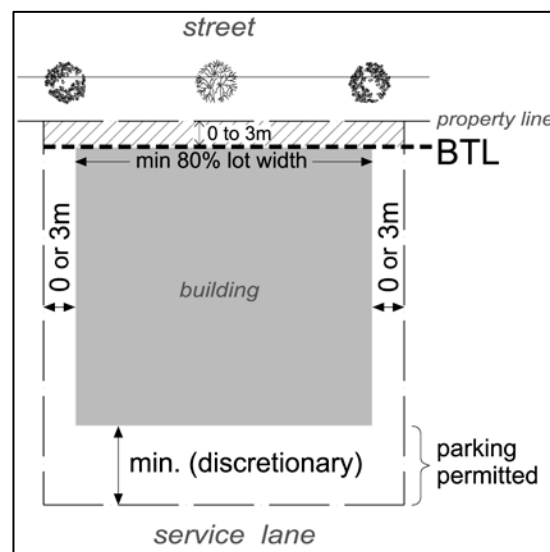


Figure 23(c): Sample site plan showing building setbacks.

### (b) **Building Frontage Variation**

- (i) ground floor frontages on 'A' streets shall be divided into horizontal units to a maximum width of 15 m; and
- (ii) ground floor commercial uses greater than 400 sq. m shall:
  - (A) have a building frontage designed to resemble smaller retail units; or

- (B) have actual smaller retail units along the building frontage with separate functioning entrances from the street; or
- (C) have a building frontage design that, in the opinion of the Development Officer, enhances and maintains the continuity of the streetscape and supports pedestrian activity.

**(c) Side Yard Setbacks**

The first three (3) storeys of all buildings shall be developed to the side property lines except where, in the opinion of the Development Officer, a setback of no less than 3 m may be permitted if:

- (i) it is to accommodate a rest area, courtyard, shopping court, outdoor cafe or similar amenity;
- (ii) pedestrian amenity and safety is maintained;
- (iii) the variance does not create a visual gap or discontinuity of the architectural form or rhythm of the streetscape; and/or
- (iv) to accommodate a pedestrian walkway or service lane.

**(d) Rear Lot Setbacks**

The rear yard building setback, to a maximum of 50% of the lot depth from the rear property line, shall be determined by the Development Officer taking into account:

- (i) adjacent and on-site uses;
- (ii) access to service lanes; and
- (iii) on-site parking requirements.

**(e) Lot Coverage**

Buildings may occupy the portion of the lot according to the following:

- (i) development shall be restricted to a maximum of 95% lot coverage to allow for door openings and access;
- (ii) for tower developments above eight (8) storeys, floor plates for storeys above the podium shall be no greater than 750 sq. m for residential and hotel uses; and generally no greater than 2,000 sq. m for all other uses.
- (iii) the Development Officer may impose a lot coverage limitation on a specific site to minimize any negative impacts of the development on:
  - (A) visual appearance of the streetscape and/or adjacent developments;
  - (B) appearance and function of pedestrian amenity areas; and
  - (C) rear setback requirements as per Section 11.1(8)(c).

**(e) Parking**

- (i) there shall be no surface parking between buildings and a public street including St. Albert Trail;
- (ii) parking access from a public street shall only be permitted if, in the opinion of the Development Officer, the proposed access:
  - (A) is in compliance with City of St. Albert's current Municipal Engineering Standards and The Transportation Association of Canada;
  - (B) is necessary because access from a service lane is not feasible;
  - (C) does not front on to an 'A' street as identified on Figure 23(a); and

- (D) will not interfere with the continuity of the streetscape, pedestrian movement or safety along a public street.
- (iii) parking lots, on-site parking and parking structures shall have pedestrian access to nearby pedestrian areas to the satisfaction of the Development Officer; and
- (iv) vehicle and pedestrian accesses shall be designed to reduce vehicle and pedestrian conflicts.

**(f) On-Site and Surface Parking**

Notwithstanding Part 7, Parking Regulations and Section 3.14 of this Bylaw:

- (i) on-site parking shall be located behind the primary building and accessed from a service lane;
- (ii) where a surface parking lot is adjacent to any public street or public open space, the lot must be screened to the satisfaction of the Development Officer.
- (iii) parking for residential uses shall be provided in below grade or structured parking facilities within the development site; and
- (iv) surface parking lots shall not exceed 2,000 sq. m in size.

**(g) Parking Structures**

- (i) the design of parking structures shall be vertically oriented and integrated with the streetscape;
- (ii) the ground storeys of parking structures facing 'A' streets must incorporate compatible non-residential uses in accordance with Section 11.1 (3);
- (iii) residential uses will not be permitted below parking levels;
- (iv) both internal and external design of the parking structure shall have regard to CPTED principles;
- (v) in order to reduce impacts, buildings frontage, including those visible from adjoining properties and/or public streets, shall incorporate a high degree of visual interest through the use of:
  - (A) color change;
  - (B) texture change;
  - (C) material module change;
  - (D) expression of architectural or structural bays through change in plane no less than 30 cm in width, such as an offset, reveal or projecting rib; or
  - (E) any other feature that, in the opinion of the Development Officer, creates and identifiable pattern and sense of human scale.
- (vi) no uninterrupted length of building frontage shall exceed 30 m including any building frontage visible from adjoining properties and/or public street.

**(h) Roof Top Mechanical**

In addition to the requirements of Section 9.10 of this Bylaw, roof top mechanical equipment or elevator housing equipment shall be enclosed on the front, top and sides or be incorporated into the overall building design if necessary to the satisfaction of the Development Officer.

(i) **Service Lanes**

- (i) future service lanes shall be permitted in accordance with Figure 23(d);
- (ii) service lanes may be designed as multi-use, hard landscaped environments for safe and comfortable use by pedestrians and service vehicles;
- (iii) access to service lanes may be controlled through the installation of removable bollards; and
- (iv) waste and recycling pick up, delivery and other building functions shall be located to the rear of buildings adjacent to service lanes, or internal to blocks to ensure that servicing functions do not interfere with movements on public streets.

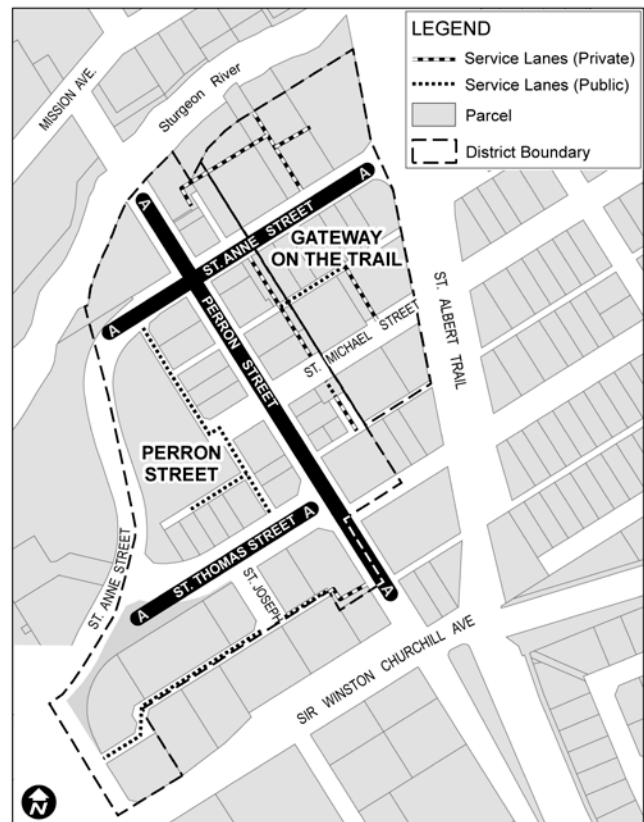


Figure 23(d): Downtown District Service Lanes.

(j) **Location of Utilities**

- (i) the visibility of utility boxes shall be minimized by placing boxes in inconspicuous places, and/or by screening them with plantings. Screening should not interfere with access to the utility or traffic visibility.
- (ii) services and utilities shall be buried, where practical. Where utility poles are necessary, their joint use shall be maximized to minimize their visual impact.

(k) **Outdoor Lighting**

In addition to the requirements of Section 6.16 of this bylaw, the following will be considered:

- (i) excessive illumination and uplighting should be avoided;
- (ii) timing of illumination should coincide with anticipated activities;
- (iii) exterior lighting fixtures shall be in keeping with good design practice, and complement building design;
- (iv) development proposals shall clearly indicate exterior lighting fixture locations and types; and
- (v) all outdoor lighting within the Downtown District shall be of a design and style that are consistent with the purpose of this District to the satisfaction of the Development Officer in consultation with Public Works, and shall provide safety and security and, for fixtures in highly visible locations, add visual interest.

(I) **Other**

- (i) if development is adjacent to the Sturgeon River and Red Willow Park system environmental issues shall be considered , including water quality and quantity, and flooding in the overall site and building design; and
- (ii) buildings must be named, have a visible address number and include an exterior date stamp easily visible from a public street.

**(8) Building Design and Architectural Standards**

In addition to the requirements of Section 6.7 (1) of this Bylaw, the exterior of buildings located in the Downtown District must be designed in accordance with the following:

**(a) Windows**

- (i) the fenestration area is the area on the ground storey building frontages facing a public street that is a minimum of 0.6 m above the sidewalk and extending up to 2.4 m above the sidewalk;
- (ii) for ground storey building frontages facing 'A' streets, at least 70% of the fenestration area shall be transparent glazing that is not covered (either internally or externally) and that allows interior activity to be seen from the street. In addition, windows:

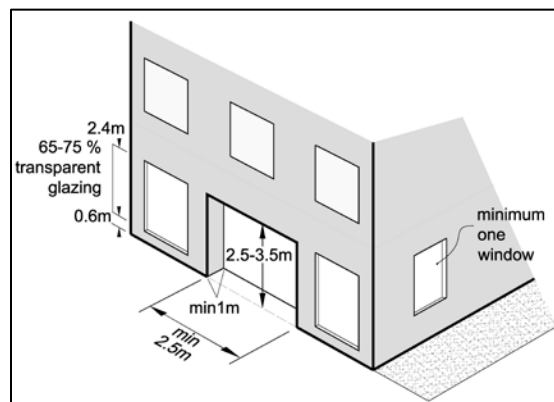


Figure 23(e): Building Frontage Design.

- (A) should have proportions of 2:3 (width: height) or narrower;
- (B) should use multiple-paned windows;
- (C) should have window frame members of substantial depth and recessed from the building frontage to provide architectural interest in the streetscape;
- (D) for any building frontage facing any street other than an 'A' street, shall have transparent glazing for a minimum of 40% and a maximum of 70% of the fenestration area; and
- (E) shall have, at minimum, one transparent window on each of the ground storey and second storey of a building frontage that faces a surface parking lot, service lane, or pedestrian walkway that allows full viewing of the area.

**(b) Doors and Entries**

- (i) all non-residential ground storey units facing a public street shall have, at minimum, one direct functioning public entrance from that public street;
- (ii) all pedestrian entrances shall be encouraged to provide overhead weather protection;
- (iii) all commercial entrances along 'A' streets as identified in Figure 23(a) must have barrier-free access; and
- (iv) any development on a corner lot, shall be encouraged to have its main entrance angled on the corner. Otherwise, one entrance is required on each public street it faces.

**(c) Building Projections**

Building projections must be designed to the satisfaction of the Development Officer and have regard for the requirements of Section 11.1 (6)(c) in addition to the following:

- (i) balconies shall be designed as integral components of the building and shall not project over or into amenity spaces or City property;
- (ii) An awning or canopy or other architectural feature to protect pedestrians from the elements must:
  - (A) project a distance that, in the opinion of the Development Officer, provides ample protection for pedestrians;
  - (B) shall maintain a minimum 0.6 m setback from the outside edge of the curb line in keeping with the adjacent streetscape;
  - (C) have a vertical clearance of at least 2.5 m and at most 4 m above the sidewalk;
  - (D) have a sloping profile, or be designed so as to provide effective shedding of rain, be self-cleaning by rain and wind, and to minimize snow-loading;
  - (E) be constructed of durable, colourfast material which minimizes the effects of dirt and discolouration (such as striped, patterned, dark-coloured and plasticized fabric);
  - (F) if glazing is incorporated into a canopy, it must be safety-glass, or fire-resistant and ultra-violet resistant plastic;
  - (G) awnings and canopies may be illuminated;
  - (H) if the frontage occurs on an inclined grade, the design of awnings, canopies, building recesses, or recessed arcades must be stepped or inclined to follow the incline to minimize differences in finished grades between the public sidewalk and the development;
- (iii) An awning or canopy or other architectural feature shall have regard for the following:
  - (A) if awnings or canopies or their supporting structures encroach on City property, a written encroachment agreement is required;
  - (B) awnings and canopies may be illuminated;
  - (C) the design of awnings, canopies, building recesses, and recessed arcades must provide continuity and harmony between adjoining developments with respect to materials, colour and pitch; and
  - (D) signage on awnings and canopies must comply with the regulation of Schedule C Section C.6(2).

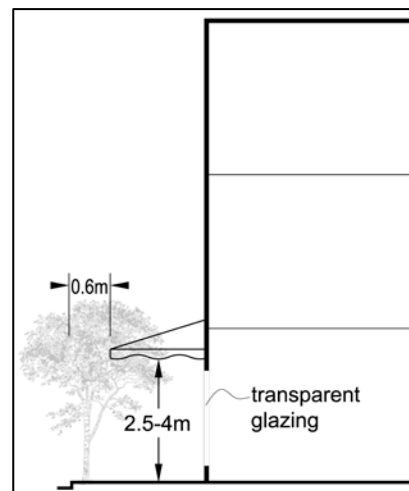


Figure 23(f): Awning and building projection requirements.

**(d) Appearance of Building**

The exterior finishes of buildings shall have regard for section 11.1 (6)(c), be of high quality materials and shall be finished to the satisfaction of the Development Officer in accordance with the following:

- (i) be of high quality design and include durable and attractive building finishing materials such as, but not limited to: brick, brick veneer, stone, marble, tile, glass, stamped concrete or a combination of any material mentioned;
- (ii) the use of vinyl siding on building frontages shall be prohibited;
- (iii) provide a variation in building materials and design treatments on the lower floors of buildings on a block to reduce perceived mass;
- (iv) appropriate materials for walls and fencing include wrought iron for fences, brick, or brick veneer for walls; or a combination of brick or brick veneer base wall and wrought iron fencing; and
- (v) for building frontages facing 'A' streets, a minimum of 70% of the non-glazed area of the ground and second storey building frontage that faces a public street, an exposed side façade or a residential district shall be finished in brick or other high quality finish to the satisfaction of the Development Officer.

**(e) Amenity Areas**

- (i) For all non-residential amenity areas, landscaping and site design shall provide a clear distinction between the private and public realm. High quality landscaping and design shall be used to denote changes in exterior elevation or the use of materials to the satisfaction of the Development Officer;
- (ii) all residential developments shall provide at least one of the following forms of common amenity areas:
  - (A) an indoor / outdoor courtyard;
  - (B) a rooftop garden;
  - (C) an outdoor patio;
  - (D) a community room;
  - (E) a pool; or
  - (F) any other common amenity deemed appropriate by the Development Officer.
- (iii) residential common amenity areas must:
  - (A) if at ground level, be screened with a fence or wall with a minimum height of 1.2 m;
  - (B) have a landscape buffer, to the satisfaction of the Development Officer, at least 1 m wide if adjacent to a public area; or
  - (C) have some other means that, in the opinion of the Development Officer, clearly delineates the public and private space.
- (iv) underground garage vents should be integrated into hard surface areas with limited impact on pedestrian amenity or landscaped areas.

**(9) Signage**

In addition to the requirements of Schedule C of this Bylaw, the Development Officer shall consider the following with regard to signage:



**(a) Pedestrian Scale**

Signs in this district should be designed and built at a scale suitable for pedestrian interaction.

**(b) Reflection of Building Image**

Signs should enhance and complement the building's image. Materials, content and colours suggesting the building's use and occupancy, shall be of an appearance and a quality complementary to the building.

**(c) Reflection of the Streetscape**

Signage in the DT must be complementary to the streetscape and adjacent buildings.